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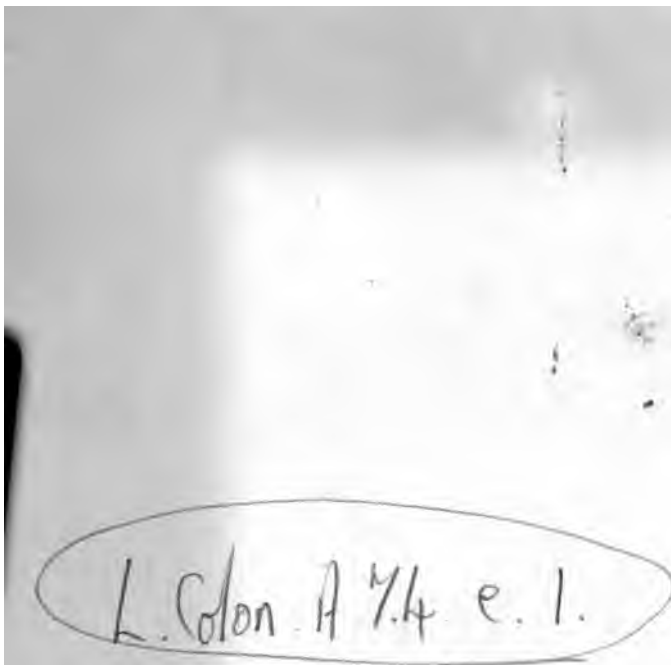
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The image shows the front cover of an old book. The cover is decorated with a marbled paper pattern featuring large, irregular, light-colored patches separated by thin, branching veins of red, blue, and black. The spine of the book, visible on the left, is made of a dark brown, textured material, possibly leather or cloth. A small, rectangular, light-colored label is affixed to the bottom left corner of the cover. The label contains the text "Cw. Jamaica" in a small, dark font, followed by the number "70" in a large, handwritten-style font, and the year "1828" in a smaller, handwritten-style font below it.

Cw. Jamaica

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1828



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Cw. Jamaica.

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1828





THE
JAMAICA
MAGISTRATE'S AND VESTRYMAN'S
ASSISTANT,

CONTAINING

A DIGEST OF ALL THE LAWS OF THE ISLAND
ALPHABETICALLY ARRANGED,

FROM 33 CHARLES II. TO 8 GEORGE IV.

WITH FORMS OF HOLDING QUARTER-SESSIONS, CORONERS' INQUESTS,
OATHS, WARRANTS, SUMMONSES, RECOGNIZANCES,
&c. &c. &c.

JAMAICA:

PRINTED AT THE OFFICE OF THE ST. JAGO DE LA VEGA GAZETTE.

1828.

Colonial Law.

2001



ADVERTISEMENT.

Such a work as the present has been long wanted, and its general utility must be obvious to all. The compiler has only to regret that some one more competent than himself had not undertaken the task. A considerable part of it, in outline, had been brought together, for his own private use, and several gentlemen, who saw the manuscript, suggested the propriety of its completion and publication. It will be found to contain the substance of all the laws of this island from the earliest period to the last session of assembly, alphabetically arranged, and references to every act, with the exception of those granting annuities to individuals, or manumising slaves, which were considered rather of a private than of a public nature.

For the use of magistrates, vestrymen, and others, forms of holding quarter-sessions, coroners' inquests, &c. are detailed, and forms given of oaths under various laws, warrants, recognizances, indentures, bail-bonds, summonses, assignments, &c. &c. Forms of inquisitions and verdicts for laying out of roads are also included, as well as the police acts and regulations of the different towns and parishes, with tables of rates of wharfage and storage, droggerage, drayage, &c. and a digest of the acts regulating the different public offices, with tables of their fees, and the rates of stamp duties.

The laws relating to slave property have been introduced, with the exception of the slave law, which has been omitted, not only in consequence of the disallowance of the one passed last session of assembly, but because, it is presumed, most gentlemen interested would be in possession of an entire copy of the existing law; and, should a new law pass next session, it is the intention of the publisher to print an edition of it with the same type, and of the same size, as the present publication, which will be sold to its purchasers at the low price of a dollar.

From the number of laws in our statute book, having duration clauses, and subject to frequent alterations, it was thought best to arrange them in an appendix.

Besides the laws of this island other matters have been introduced, as furnishing useful information, such as definitions of crimes from English law-books, a list of governors, post roads, &c.

On the whole, it is hoped, that the publication will be found an useful manual to magistrates, vestrymen, and others; and to gentlemen of the legal profession it will perhaps be valuable, as a general index to the laws of this island; at least the compiler has endeavoured, by every care and attention, to render it so. He is however fully aware that in a work of such a nature errors in reference or omission may have escaped him, and, as only a small edition has been printed, he solicits such gentlemen as may discover any to communicate them to the publisher, for the benefit of a second edition, should it be required.

THE
JAMAICA
MAGISTRATE'S AND VESTRYMAN'S
ASSISTANT.



ABOLITION.

BY 57, *Geo. 3, c. 18*, sundry enactments are made in aid of the British acts of parliament, for the abolition of the slave trade, which there has never been any occasion to enforce in this island, and it is believed never will. It is therefore quite unnecessary to detail them here, more especially as this act will be found abridged in the *Abstract of Slave Laws* published in 1819.

ACCESSARY.

Accessary is he that is not the chief actor but one concerned in the felony by commandment, aid, or receipt. An accessary before the fact is he that, being absent at the time of the felony committed, doth yet procure, counsel, command, or abet, another to commit a felony. An accessary after the fact is, where a person, knowing the felony to be committed by another, relieves, comforts, or assists the felon. Receivers of stolen goods are accessaries.

Receivers or purchasers of stolen goods, or those who harbour thieves, are deemed accessories in the felony, and to suffer death as principals; and, though principals be pardoned, or otherwise delivered, both before or after the fact, they may be punished as if the principals had been attainted; if principals cannot be found, they may be punished as for misdemeanors, which exempts them from further prosecution.—15 Geo. 3, c. 10.

See STOLEN GOODS.

ACCOMPONG *see* MAROONS.

ACCOUNTS OF SALES.

Accounts of sales must be annually recorded by mortgagees in possession, upon oath, and what sums applicable or actually applied to the mortgages, under penalty of five hundred pounds, recoverable in supreme court.—25 Geo. 3, c. 10.—Trustees or guardians in possession must record sales within eighteen months after they record crop accounts, on oath before a judge of grand court or common pleas, under a like penalty, and forfeiture of commissions.—33 Geo. 3, c. 21.

See EXECUTORS, MORTGAGEES.

ACTIONS.

No action of waste to be brought in any court. No actions for less than twenty pounds to be brought in supreme court, except by the inhabitants of the precinct of St. Catherine.—33, Chas. 2, c. 23, s. 6. Justices of assize to appoint auditors in actions of account, upon verdict for defendant, who give final judgment, and their returns may be immediate.—17 Geo. 3, c. 13.

All actions must be filed in the grand court, but must be tried in the county in which the cause of actions shall arise.—31 Geo. 2, c. 4, s. 5. Those for breach of laws relating to trade and navigation, or for duties or customs under quit-rent act, or escheats, to be tried in the supremecourt only, and all in formations for land under the quit rent acts, to be proclaimed in the courts of Surrey and Cornwall that immediately follow the supreme court in which the same is proclaimed, and as often; and such proclamation in assize courts to be endorsed on the back of the information; those for freedom, in ejectment, dower, partition, right or title of lands and tenements,

in any county, may, on motion, be tried in the supreme court only; the party moving paying the expences.—31 Geo. 3. c. 4, s. 13, 14. In actions depending when the defendant is detained in custody for want of surety, and such defendant not appearing to plead, the plaintiff shall have default entered upon the action, and proceed accordingly; but must proceed, within two courts, to final judgment, or the defendant discharged.—51 Geo. 3, c. 28.

See COURTS, DEBTS, EXECUTORS, *and* articles referred to under the word WRITS.

ADMINISTRATORS, *see* EXECUTORS.

ADMIRAL'S PEN.

Commissioners appointed and empowered to purchase land for a pen for the admiral on the station, to be vested in the king, his heirs, and successors.—14 Geo. 3, c. 11.

ADMIRALTY, *see* COURT of ADMIRALTY.

AFFIDAVITS.

The chief-justice empowered to appoint commissioners in the different parishes to take affidavits, concerning matters depending in the court; such affidavits to be filed in the clerk of courts' office, and used in court, as if taken in court, and those guilty of perjury to incur same penalties as if taken in the court, fee for taking one shilling and three pence.—14 Geo. 2, c. 3.

All affidavits made or taken before any commissioner in any proceeding in the grand or assize courts may, notwithstanding any new appointment of a chief-justice, be received and read in the courts; commissions to be registered by the clerk of the crown, and, unless they have been registered, affidavits before them cannot be read; lists of commissioners to be published annually; those swearing falsely before them guilty of perjury.—42 Geo. 3, c. 26.

AFFRAY.

From the French *effrayer*, to frighten, signifies a fighting between two or more, in some public place, for, if the fighting be private, it is not an affray, but an assault. No angry or

threatening words, however violent, amount to an affray; but if a person arm himself with dangerous or unusual weapons, in a way to excite terror in the people, it is an affray. The punishment of common affray is by fine and imprisonment.—Affrays may be suppressed by any private person present; but a constable, who is bound to keep the peace, may break open doors to suppress an affray, or apprehend the affrayer. [For forms of warrant and indictment, see *Court of Quarter Sessions*.]

ALIENS.

Those settled may be naturalised by the governor, on taking the oaths of allegiance, and have the same right by the patent as his majesty's natural born subjects, and devises, sales, &c. made by them are confirmed.—35 *Chas. 2, c. 3*. Foreigners arriving in this island must give in their names to a magistrate within thirty days, with their trades or vocations, the time they have been in the island, and where they belong, under penalty of one hundred pounds; and may be transported, unless naturalised within thirty days.—12 *Geo. 1, c. 11*. They are empowered to lend money on landed or other securities, on interest, and, in forfeiture of security to such alien, the property vested in the speaker and chief-justice, in trust for his benefit.—13 *Geo. 3, c. 16*.

See ALIENS in APPENDIX.

ANNOTTO-BAY, see ST. GEORGE.

ANNUITY.

Annuities consisting of a rent charge, or annual sum of fifty pounds per annum, out of messuages, lands, and tenements, on which have been and are negroes or stock liable to taxation, for twelve calendar months before the election, confer a right of voting for members of assembly.—21 *Geo. 3, c. 15, s. 7*.

APPRENTICES, see MASTERS and SERVANTS and PARISHES.

ARMS AND ACCOUTREMENTS.

No arms or accoutrements are deemed public but such as issue from the public arsenal, and there marked; none to be issued but by order of commander-in-chief, on a representation made by the colonel; colonels, under penalty of one hundred pounds, to make yearly returns in October of the number of

arms received and issued by them, on oath, and shall make good such as they do not sufficiently account for within three months, under a penalty of ten pounds for each set of foot arms, and fifteen pounds for each set of a troopers; and the like regulations are enforced on officers commanding companies; non-commissioned officers and privates undergo similar penalties for not having their arms in good order and condition; but the parties may supply the arms by purchase from the public arsenal, on paying the receiver-general five pounds for a set of foot arms, and seven pounds ten shillings for a set of horse arms.—47 Geo. 3, c. 28.

ARMY BAGGAGE.

Commissioners are appointed, the custos and members and three senior magistrates for regulating its carriage; the governor to issue his warrant to any one of them, who is to issue a notice, signed, directed to all persons possessing carriages, boats, wherries, cattle, mules, or slaves, and served by a constable, to furnish what may be required; and those disobeying, to be fined by two magistrates not less than fifty pounds, nor exceeding one hundred pounds. Claims for payment of carriage under this act to be certified by two commissioners, and sworn to and audited by commissioners of accounts, which the receiver-general must pay; removing of officers without troops does not come within the meaning of this act.—45 Geo. 3, c. 10.

ARMS, *Exportation of*, see APPENDIX.

ARREST,

All persons are subject to arrest, who are not freeholders, 85 Chas. 2, c. 7, s. 12. No person to be arrested or held to bail, unless an affidavit be made, before a judge or commissioner of the court, of the cause of such action, and the sum endorsed on the declaration, bail to be taken only for the sum endorsed, but freeholders are excepted from arrest.—26 Geo. 2, c. 2. Writs of arrest and *ne exeat insula* to be executed notwithstanding martial law, on proof of the party being about to leave the island.—3 Geo. 4, c. 5, expires 1829, but renewed every five years.

See ACTIONS, BAIL, DEBTS, and, in APPENDIX, INDEBTED PERSONS, and articles mentioned under the word WRIT.

ARSON.

Arson is the malicious and actual burning of the whole or part of the house or out-house of another by night or by day. It is felony, and the punishment death: Burning of houses or plantations by 9 *Geo. 3, c. 5*, is made felony without benefit of clergy.

ASSAULT AND BATTERY.

Assault and battery is an attempt or offer to do a corporal injury to another, as holding up the fist in a menacing manner, striking with a cane or stick, though the party miss his aim; throwing a bottle or glass with an intent to wound or strike.—But, to constitute an assault, there must be an intention to use actual violence, coupled with the ability: the party aimed at must be within reach of the fist or the weapon lifted or levelled against him. Battery, which includes assault, is the unlawful beating of another; the least touching of another person in a rude and angry manner is battery, every man's person being held sacred, and no one having a right to meddle with it in the slightest manner. But battery is justifiable when the party hath authority, as a parent, or master, may give moderate correction to his child, scholar, or apprentice. [For forms of warrant and indictment, *see Court of Quarter Sessions.*]

ASSAY, *see* GOLD and SILVER PLATE,

ASSEMBLY.

By 33 *Chas. 2, c. 1*, the number of representatives for each parish is fixed, three for St. Catherine, three for Port-Royal, and two for every other parish. Representatives to be freeholders as also the electors. By 5 *Wm. and Mary*, Kingston is empowered to send three members, Westmorland two, by 2 *Ann, c. 1*; Hanover two, by 10 *Geo. 1, c. 5*, and by *c. 8*; Portland two, at the end of three years; Trelawny two, by 14 *Geo. 3, c. 31*. The duration is limited to seven years.—20 *Geo. 3, c. 3*. If members are elected in a church or chapel the election is void 28 *Geo. 3, c. 11*. The statute of 2 *Jas. 1*, “For new executions to be sued against any which shall hereafter be delivered out of executions by privilege of parliament, and for discharge of them out of whose custody such person shall be delivered,” declared in force in this island for

protection of members' persons, against all process in chancery or courts of judicature, with a proviso, that new writs may issue after privilege of assembly ceases, and priorities not to be affected.—31 *Geo. 3, c. 4.* Speaker to be paid one thousand pounds per annum.—34 *Geo. 3, c. 21.* If any member die during a recess, the custos or senior magistrate must give notice to the speaker, under penalty of fifty pounds, within fourteen days, who must acquaint the governor within ten days, or, without such information, if he be satisfied of the truth of the fact; or, in case of the death or absence of the speaker from the island, notice shall be given to the governor by the custos or senior magistrate; who is thereupon to direct a new writ to be issued; by this act, also, if a member should be called up to the council, the governor is forthwith to direct a new writ to be issued.—35 *Geo. 3, c. 31.* The assembly existing on the death of the king, or his successors; shall not dissolve until six months after such death is made known by authority, unless sooner prorogued or dissolved by authority, and the governor is empowered to prorogue, or call and convene it from time to time, the act not to controvert the power of the king or governor. All laws passed by such assembly are declared to have full force and effect.—53 *Geo. 3, c. 9.* The new parish of Manchester to send two members.—55 *Geo. 3, c. 23.* Collecting constables cannot be members.—43 *Geo. 3, c. 1.* Representatives of the different parishes are commissioners of the workhouses.—32 *Geo. 3, c. 11.* Previous to sitting or voting, every member must take an oath that he has an estate in his own or wife's right, of the value of three hundred pounds a-year, or an estate worth three thousand pounds, besides what is sufficient to pay all his debts, which must be taken along with the oaths of allegiance and supremacy.—21 *Geo. 3, c. 15, s. 19.*

See ELECTION.

ASSESSMENTS, see APPENDIX.

ASSETS.

Slaves are declared assets and made liable to be taken for debts and legacies, when no other effects can be found.—50 *Geo. 3, c. 21.*

See TITLES TO SLAVES.

ASSIGNMENTS, see BAIL, BONDS, JUDGMENTS, &c.

ASSISTANCE, WRITS OF.

A judge of supreme court or two magistrates, on information on oath, by a proper officer, of smuggled goods being concealed or suspected to be so; must, under penalty of two hundred pounds, grant a writ of assistance, 28 Geo. 3. c. 15. one magistrate may grant the writ, when a positive oath is made by one credible witness, on application of the officers of customs, but it must be executed in the day time only; but, if information prove false, damages may be recovered against the officer who applied for it.—29 Geo. 3, c. 15.

ASSISTANT JUDGES

May sign writs when the chief is ill or absent.—4 Geo. 3, c. 8. The two senior assistant judges of the supreme court, resident, to receive seven hundred pounds per annum, while they give regular attendance, unless disabled by sickness; the two senior assistant judges of courts of assize of Surrey and Cornwall to have five hundred pounds per annum, on same conditions; any judge who shall be absent more than one court in one year is deemed not regular in attendance; on the death, disability, or departure from the island of any senior assistant judge, the judge next in seniority to enjoy the salary, if he has attended as judge within the twelve months preceding his claim, if not, his right is forfeited, and the next who has given attendance shall receive the salary; the attendance necessary to entitle to salary must be six days at least within the preceding twelve months; the names of the judges to be entered by the clerk in a book, and their time of attendance to be signed in the presence of the chief, whose signature is also necessary; any judge on salary, absent four months, the next in seniority to receive it, but if the judge return within three years, and resume his functions, his seniority is preserved, and he may claim the first vacant salary, provided he complies with the regulations; assistant judges of assize courts entitled to salary shall be judges of the supreme court, but not entitled to succeed to salaries in the grand court, to the prejudice of its assistant judges serving without salaries, whatever their seniority; but their attendance at the grand court shall be the same as an attendance at the assize; the salaries to be paid half yearly on the production of a certificate from the chief-justice of regular attendance.—51 Geo. 3, c. 27.

See CHIEF JUSTICE and COURTS.

ASSIZES see COURTS OF ASSIZE.

ATTACHMENTS.

By 33 *Chas. 2. c. 23*, it is enacted, "That upon any declaration exhibited in debt, upon a specialty or bill under hand, or, in case of a book-debt, upon a *concessit solvere*, and disclosing the special matter to the chief-judge of the supreme court of judicature, that the said debtor, against whom the plaint is entered, is either gone off this island, or that, upon process already taken out against him, a *non est inventus* hath been returned, an attachment shall then issue, thereby commanding the provost marshal, or his lawful deputy, to attach such monies, goods, chattels, or debts, in the hands of the possessors of the same, be they attorney, wife, servant, or any other person; and also require them to appear at the next court to shew cause why the said money, goods, chattels, or debts, or so much thereof as will satisfy the said debts then demanded, should not be delivered to the plaintiff; at which day, if the said possessor or debtor, be they attorney, wife, servant, or other person as aforesaid, be convicted by confession, verdict, or otherwise, that the said monies, goods, chattels, or debts, do properly belong to the person so gone off this island, or otherwise absented himself as aforesaid, and if the plaintiff, before or after due proof made, do solemnly swear in open court that his debt is true, and that, directly or indirectly, no part or parcel of what he demanded is satisfied, and also give in security in double the sum he demands to restore the same, with treble damages, or so much thereof as shall at any time afterwards be disproved; that then, and in all such cases, the plaintiff shall have judgment to recover the said debt out of the said money, goods, chattels, or debts, so attached as aforesaid: *Provided always*, That if any will appear as attorney to the said debtor, and put in bail to answer the action, and pay the condemnation, that then, and in all such cases, the attachment on the said money, goods, chattels, or debts, shall be dissolved, and proceedings had according to the custom of the common law: But if the possessor or owner of such money, goods, chattels, or debts, be they attorney, wife, servant, or other person, as aforesaid, shall, after attachment so laid on them in the respective hands, dispose of the said money, goods, chattels, or debts, towards the payment of any other debts, before the said debt for which the attachment was laid be satisfied, or the said attachment be dissolved; that then, and in all such cases, the said party, for such their default, shall be liable to make satisfaction to the plaintiff out of their own proper estates."

They may be issued by justices of the peace for debts

not exceeding forty shillings, if the party is gone off the island or otherwise absent, and judges of inferior courts for sums under twenty pounds.—10 *Ann*, c. 4, s. 12.

ATTORNIES AT LAW.

None to practise until admitted by the judges, after taking the oaths, and if their clients are nonsuited through their ignorance or negligence they pay full costs of suit, 33 *Chas.* 11, c. 23, their fees are fixed and a penalty of one hundred pounds inflicted if they charge more, and if they offer a bill of costs before such bill is taxed, they forfeit five hundred pounds, 10 *Ann*, c. 4. If they wilfully endorse a writ of execution or venditioni for a greater sum than due they forfeit one hundred pounds, and become incapacitated, 8 *Geo.* 2, c. 5, and by 24 *Geo.* 2, c. 16, they must have authority for endorsing writs. No partnership is to be allowed, unless the agreement is regularly executed and recorded, and each name must be endorsed on all proceedings.—4 *Geo.* 3, c. 8. No person allowed to practise as an attorney, who has not been admitted as an attorney, solicitor, proctor, or writer to the signet, either in the supreme court here, or in some of the courts of England, Ireland, or Scotland; no clerk to be articulated under the age of sixteen, nor for less than five years, and such articles must be recorded within three months; no one to be admitted until examined in open court by the chief-justice; no attorney to suffer any person but his clerks to practise in his name, under penalty of one hundred pounds, and persons not admitted and presuming to act in the petit courts to forfeit one hundred pounds, and two hundred pounds on the custos or judge who permits it; if an attorney dies before the expiration of his clerks articles, the clerk is entitled to the benefit of the time he has served, and may be turned over to another.—14 *Geo.* 3, c. 3, they are not to stand security for their clients prosecuting writs of error.—17 *Geo.* 3, c. 16.

See Courts.

ATTORNIES FOR ESTATES.

Attornies, trustees, guardians, executors, administrators, mortgagees, sequestrators, &c. having management of properties must give in a just account, on oath, annually, of all rents, profits, produce and increase, on or before the 25th March, to be recorded in secretary's office, under a penalty of one hun-

dred pounds, recoverable in supreme court, besides loss of commission; the following is the form of the oath:

MEMORANDUM.—This day of 18 personally appeared before me one of the judges, &c. A. B. of attorney for and upon the holy Evangelists made oath (or if a Quaker solemnly affirm) that the account above written or annexed, is a true and just account of all the rents, profits, produce, and proceeds of the plantation and premises of under his care and direction, or which he is in possession of; and that in such account is particularly set forth the quantity of sugar, rum, molasses, cotton, ginger, coffee, cocoa, pimento, or other produce, produced and made in the year and ending the 31st December last past, of, from, or upon the said

Falsely swearing is declared perjury, this act to be read quarterly in vestry, 13 Geo. 2. c. 9. This act had only three years' duration, but declared perpetual by 24 Geo. 2; c. 19, s. 7, within eighteen months after recording crop accounts, accounts of sales must also be recorded in secretary's office, the payments made, and how the crop hath been applied, under penalty of five hundred pounds, which oath, as well as the former, to be taken before a judge of grand court or common pleas.—33 Geo. 3, c. 21.

AXTELL'S PEN see ST. ANDREW.

BAGGAGE, *see* ARMY BAGGAGE.

BAIL.

When an offender is arrested, the justice before whom he is brought is bound immediately to enquire into the circumstances of the alleged crime, and to take the examination of the prisoner, and the evidence against him, in writing: If the charge appear wholly groundless, the prisoner must be forthwith discharged, otherwise he must be committed, or give bail for his appearance to answer the accusation. To refuse or delay to bail any person bailable is an offence against the common law, and punishable at the suit of the party, or by indictment. No justice can bail upon a charge of treason, nor murder, nor arson, nor manslaughter, if the prisoner be clearly the slayer, and not barely suspected to be so; but, in case of other felonies, committed by persons of bad character, and of notorious thieves, the justices may bail or not at their discretion. If a party cannot obtain bail he may be confined under the warrant for twenty-four hours, but if he can find no bail, then he must be regularly committed. In cases of felony two bails should be taken. Excessive bail ought not to be required.—Granting bail when it ought to be denied is punishable by fine. If the bail offered be doubtful, or excepted to as insufficient, the bail may justify by swearing themselves worth double the sum for which they are bail, after payment of their just debts.

By a late law of this island, when any person is taken, on a charge or suspicion of felony, before one or more justices, supported by positive or credible evidence, or such as raises a strong suspicion of guilt, the person so charged must be committed; if only one justice be present, and the evidence not sufficient to raise a strong presumption of guilt, nor warrant dismissal, the party must be detained and brought before two justices, and if the evidence in their opinion is not such as to raise strong presumption of guilt, and require an acquittal, or such evidence adduced on the part of the person charged as shall weaken the presumption, but, notwithstanding if there appears sufficient ground for judicial enquiry, the party to be bailed by the two justices; but no evidence need be heard in defence unless it appears to be conducive to justice; and before the bail is taken the examination of the person charged with the offence, and the information, upon oath, of witnesses, or such of it as appears material, to be taken in writing, and the two justices to certify bail in writing; and every justice has authority to bind the evidences by recognizance, to appear at the

trial at the supreme or assize courts, and such justices must subscribe all examinations, informations, bailments and recognizances, and transmit them to the clerk of the crown. In cases of misdemeanor every justice may take the examination of witnesses of the person charged, and informations of witnesses on oath, and put such part as is material in writing; and in case of bail must certify the same in writing, with authority to take recognizances of all persons in like manner as in cases of felony. Justices offending against this act, may be punished at the discretion of the court.—8 Geo. 4. c.

FORM OF A BAIL BOND.

Jamaica, ss.—St. Catherine.

*Be it remembered that, on the day of
in the year of the reign of George the fourth, A. B.
of and C. D. of came before E. F. and G. H.
two of his majesty's justices of the peace in and
for the parish of and severally acknowledged
themselves to owe to our said lord the king, that is to say,
A. B. in the sum of and the said C. D. in the
sum of to be respectively levied on their lands and
tenements, goods and chattels, if the said A. B. shall make
default in the following conditions :*

*The condition of this recognizance is such, that if the above written bound A. B. do and shall personally appear before his majesty's justices of the peace at the next general quarter sessions of the peace, to be holden at
on the day of then and there to answer to
pur said sovereign lord the king, for and concerning
with which
the said A. B. stands charged, and to do and receive what shall by the court be then and there enjoined, and shall not depart the court without license, then the above written recognizance to be void.*

Taken and recognised before us.

Justices signatures.

See RECOGNIZANCE.

BAIL BONDS IN CIVIL PROCESS.

The provost-marshal is empowered to assign bail bonds when forfeited, to plaintiffs in writs, which assignees may bring actions upon; but if defendants appear before judgment ob-

tained, and give bail by manucaption, bail bonds become void.
—25 Geo. 3. c. 9.

FORM OF ASSIGNMENT.

*I do hereby assign the within bond unto
according to an act of the lieutenant-governor, council, and
assembly, of this island, in such case lately made and pro-
vided.*

In cases of arrest on process in courts of common pleas where bail is taken, the provost-marshal may in same manner assign them, with same power to assignee.—46 Geo. 3, c. 18.

See RECOGNIZANCE.

BALLAST, *see under names of HARBOURS.*

BARRACKS.

Barracks by sundry laws had been established by different parishes, but by 34 Geo. 3, c. 21, they were all placed on the public establishment, by c. 21, those in Cornwall are reduced and a former act repealed. By 42 Geo. 2 c. 27, the governor is empowered to purchase lands for erecting barracks in the interior.

BARRATRY.

A barrator signifies a common mover, exciter, or maintainer of suits and quarrels, either in courts or in the country.—Justices of the peace have power to restrain all barrators, by statute 34 Edw. 3. c. 1, and to pursue, arrest, take and chastise them, according to their trespass or offence. Fine and imprisonment, and security to keep the peace are the punishments, and, if a lawyer, he may be incapacitated to practice.

BARRISTERS.

Barristers not to practise until regularly sworn, under penalty of twenty pounds, and if non-suits are suffered through their negligence, they must, by rule of court, pay the client's costs.—33 Chas. 2, c. 23, s. 4, they must give certificates of fees when defendants incur costs of increase, if employed by plain-

tiffs.—24 *Geo.* 2. c. 19, s. 2. Certificate of two of them necessary for the admission of an attorney.—4 *Geo.* 3. c. 8, s. 2, 3.

BATH OF ST. THOMAS THE APOSTLE.

Directors appointed and granted one thousand two hundred and fifty pounds, to purchase the springs, with one thousand one hundred and thirty acres of land in St. Thomas in the East, to make a road to erect buildings, and provide necessities for poor sick people; the directors are the governor, members of council, chief justice, justices of the quorum of St. Thomas in the East and St. David, and incorporated by name of "Directors of the Bath of St. Thomas the Apostle, and the property vested in them, with powers to sue and be sued, lease, use a common seal, appoint officers, and make regulations, and may erect a market, license a retailer of liquor, the lands must not be alienated, leases not to exceed twenty-one years, and monies arising to be laid out in improvements.—11 *Wm.* 3, c. 3. All leases annulled, and five hundred pounds granted the commissioners for building a house, which they are empowered to lease out with one hundred acres, to a person who will reside, and afford accommodation for sick and infirm people at reasonable prices, for a term not exceeding twenty-one years; they may also lease for same term quantities of land not exceeding thirty acres to any one person, who shall reside upon it; surveyors to be employed and a road to be laid out, and powers given to order out negroes to work upon it. Lands may be granted to soldiers, and settlers exempted from taxes for seven years, penalties to be recovered in supreme court.—4 *Geo.* 2, c. 2. Regulations made as to town lots in which the part bounding on Plantain Garden River is to be laid out, the town lots not to exceed an acre; fifty acres near the springs, and twelve on the ridge to be reserved, one lot to be laid out for soldiers and one for a burying ground. The council and assembly to be perpetual directors, 22 *Geo.* 2, c. 13, road ordered by 4 *Geo.* 2, c. 2, altered as impracticable, and a road from the Bath to the sea ordered to be laid out 24 *Geo.* 2, c. 15. Commissioners appointed to make a road from the Bath to Kingston, 26 *Geo.* 2, c. 7, any three of commissioners may convey estates of half an acre each, containing in front one hundred and thirty-two feet; the Botanic garden put under the care of the directors.—30 *Geo.* 3, c. 15. All meetings to be held in the town of Bath, and quarterly meetings on the last Mondays in January,

April, July, and October, and three week's notice of each to be given in Royal Gazette, and the same for extraordinary meetings, five directors deemed a quorum for transacting business; annual statements of proceedings to be laid before the October meeting by the clerk under penalty of fifty pounds, penalties to be recovered before a justice; the power to grant licenses to retail liquors repealed, 47 *Geo.* 3, c. 26, the physician must be elected at a meeting of directors in St. Jago de la Vega, or at an extraordinary meeting called by the governor: In case of his absence with leave, the directors, at same place, may nominate another until his return.—6 *Geo.* 4. c. 9.

BECKFORD'S FREE SCHOOL.

This school established in St. Jago de la Vega, under the will of Peter Beckford, who bequeathed one thousand pounds for that purpose, and two hundred pounds was devised by John Ellis, as also a further sum bequeathed by Mr. Beckford to the poor, but appropriated to this purpose. The governor, council and assembly, for the time being, are made a body corporate, for its management, under the title of "the governors of the free school of St. Jago de la Vega," and five form a court; to have a common seal, to sue and be sued, &c. all meetings to be held in the school, governors to admit scholars, giving preference to those of St. Catherine's parish, to employ and dismiss masters, to instruct them in reading, writing, grammar, arithmetic, &c. they regulate salaries, and make bye-laws. By this act 17 *Geo.* 2, c. 10, they were empowered to elect other governors, but this power was taken away by 32 *Geo.* 2, c. 17. This school has an annual income of one hundred pounds, being the interest of one thousand pounds lodged in the hands of the receiver-general, and an annuity from two pens, one of fifty pounds under the will of Mary Baldwin, and another of forty pounds under the will of Thomas Barre'tt; there are thirty scholars on the foundation, who are taught reading, writing, arithmetic, and grammar.

BILLIARD TABLES.

Persons keeping public billiard tables must have a license from the justices and vestry, upon their receiving a certification of two respectable freeholders that the party is sober and discreet, to be annually renewed, and no license must be granted without a security for good behaviour, the party in five hundred

pounds, and one freeholder in one hundred pounds, and one paying twenty-five pounds to the collecting constable for the use of the poor, and the clerk of peace must not record the license without the collector's certificate of this fee being paid. Playing time to be from eight in the morning until six in the evening, but not on Sunday, under the penalties for unlawful gaming. Clerk of peace to keep a book to record licences under penalty of fifty pounds, and receive a fee of two pounds ten shillings for his trouble, if he neglects his duty he forfeits ten pounds.—39 *Geo. 3, c. 7.*

See GAMING.

BILLS OF EXCHANGE.

Such as are returned protested to have a re-exchange of eight per cent, besides common exchange.—12 *Geo. 2, c. 3.* After judgment obtained it bears interest from the first day of court, and writs of execution may be endorsed with the sum assessed, interest, re-exchange, costs, and interest on the whole bill from first day of court, 28 *Geo. 2, c. 2,* bills must be protested before actions can lie.—15 *Geo. 3, c. 21.*

BLACK-RIVER, *see* ST. ELIZABETH'S.

BLASPHEMY.

Persons convicted of blasphemy to be fined twenty pounds or more, and those unable to pay to have corporal punishment.—33 *Chas. 2, c. 5, s. 2.*

BLOCKHOUSES.

The governor empowered to purchase land to erect block-houses, sent here by his majesty for the defence of the island.—41 *Geo. 3, c. 28.*

BOARD OF WORKS, *see* APPENDIX.

BOATS AND WHERRIES.

All boats, wherries, and canoes in Kingston harbour to be registered in the naval office, the number, place they belong to, and owners name to be marked on each, under penalty of five pounds, they must have five hands, and ply from day-

break until eight at night. If they refuse or avoid employment it is a penalty of forty shillings on owner.—15 Geo. 3, c. 24.

See WHERRIES.

BONDS.

Bonds, mortgages, judgments, &c. on which no interest has been paid, or legally demanded for twenty years, or since last payment of interest, declared null and void, 10 Ann. c. 12, s. 2. No bond or note passed away to be valid for more than what is *bona fide* due thereon at the time; bonds to be assigned as follows:

Be it remembered that I, A. B. have this day of
in the year our lord assigned the within
bond to C. D. his executors, administrators, and assigns,
and that the sum of is due thereon
for principal, and for interest; and that
no payment hath been made thereon, more than is this day
set forth and allowed,

To be signed by the obligee, or his lawful representative, and to be good and valid to the assignee in all suits, &c. but assignment must be set forth in declarations; and assignees may assign in same form; those assigning bonds for a larger sum than due thereon are guilty of a misdemeanor, and if convicted in the supreme or assize courts, shall suffer such fine and imprisonment as the court thinks fit, s. 2 to 5; if payments have been made on bonds, and appear on the back, the jury is to set forth the same in their verdict, s. 12, those wilfully destroying, stealing, erasing, or defacing a bond, note, or bill of exchange, with intent to defraud, are guilty of felony without benefit of clergy, s. 19.

See MORTGAGES, JUDGMENTS, NOTES.

BOOKS OF ENTRIES

Must be kept in the counties of Cornwall and Surrey, by the clerks of court and crown, of all judgments, verdicts, assessments of damages, sentences, fines, forfeitures, and amerciments, recovered, assessed, pronounced, or imposed, at the courts of assize, to be delivered to the clerks of the peace, and to be deemed by s. 2, public records.—31 Geo. 2, c. 8, s. 1.

BOTANIC GARDEN.

One was established near Bath, by 19 *Geo. 3, c. 17.* and by 30 *Geo. 3, c. 15.* was placed under the care of the directors of the Bath of St. Thomas the Apostle. Another was established in Liguanea, being purchased from the estate of Hinton East, esq. its founder, for the sum of five thousand pounds. 34 *Geo. 3, c. 23.* and directed to be sold by 51 *Geo. 3, c. 30.*

BOUNDARIES.

Boundaries of lands to be settled by run and marked lines.—2 *Ann. c. 7, s. 4.* Where disputes arise judges are to determine the real run and marked lines, proved to be the original lines, or those reputed to be for ten years, to be the true boundaries; where original lines cannot be proved, they shall determine by such lines as best answer the original plat, or patent, by a sworn surveyor attested. Record of such plat hereafter made and recorded in the patent office to be conclusive.—4 *Geo. 2, c. 4, s. 2.* Those acquiesced in for seven years by proprietors binding on each other deemed the true boundaries, excepting for incapable persons, but who must claim in five years after capable.—14 *Geo. 3, c. 5.* The boundaries of counties and parishes are fixed, as laid down in the maps of James Robertson, the maps ordered to be recorded, and the copies published to be evidence in courts.—50 *Geo. 3, c. 15.*

See PARISHES.

BREAD, *see* APPENDIX.

BROAD SEAL.

Persons counterfeiting the broad seal to be deemed guilty of high treason.—33 *Chas. 2, c. 16.*

BURGLARY.

Burglary is a felony at common law, in breaking and entering the mansion house of another, in the night, with intent to commit some felony within the same, whether the felonious intent be executed or not. By 42 *Geo. 3, c. 12.* robberies from dwelling houses or out-houses at night, to the value of sixty shillings, or more, though the house be not actually

broken, and though no person be in the house, and persons aiding and assisting, debarred the benefit of clergy; and persons entering houses at night, without breaking, with an intent to commit felony, or, being in such house, shall, in the night time, commit any felony, and shall, also in the night time, break the said house to get out, such person is declared guilty of burglary, and deprived the benefit of clergy, as if he had broken into the house in the night time.

BYSTANDERS.

Justices of assize, if one juryman appear, may command the provost-marshal, by warrant under their seal, to summon as many lawful bystanders as will make a full jury, who are declared legal.---31 Geo. 2, c. 4.

CARPENTERS' MOUNTAINS, *see* ST. ELIZABETH'S and VERE.
 CASTILE FORT, *see* FORT NUGENT.

CATTLE.

When damages done to fenced land by cattle, a jury of three freeholders are to be chosen, one by each party, and one by a justice, to appraise the damage on oath, double of which to be paid by the owners of the cattle; killing cattle, horses, mules, or asses, a forfeiture of fifteen pounds for each; by *s. 10.* putting false marks upon or defacing marks declared felony.—*33 Chas. 2, c. 10.* By this law a toll of cattle by clerks of court is made a good title. Persons stealing or driving them away, or killing, with intent to steal the whole or part of the carcase, are declared guilty of felony, and to suffer death without benefit of clergy; taking off the horns, rasping them, or defacing marks, six months imprisonment for the first offence, twelve for the second, and for the third such punishment as the court thinks fit.—*47 Geo. 3, c. 22.*

See POUNDS.

CAVEAT, *see* SECRETARY.

CERTIORARI

Is an original writ, issued out of chancery or superior courts, directed, in the king's name, to the judges or officers of inferior courts, commanding them to return the record of a cause or matter depending before them. Writs of, for removing records or proceedings from inferior jurisdictions, which were returnable to the supreme court, to be so by this act, in Surrey and Cornwall courts, in all causes arising within these counties.—*31 Geo. 2, c. 4, s. 25.* No conviction or judgment given to punish gambling, to be removable by certiorari into grand court.—*13 Geo. 3, c. 19, s. 4.* If writ of certiorari issued (unless during grand court, returnable forthwith) before proceedings finished, in cases of forcible entry and detainer, the justices must nevertheless proceed, and restore the ousted party to possession, if entitled thereto; and proceedings to be returned accordingly; and no proceedings, for want of form, to be quashed in the higher courts, if the facts are proven to the satisfaction of the court; in case the person aggrieved, after restitution, bring an action for damages sustained, and recover damages, the judges may award double damages assessed by the jury, besides costs.—*14 Geo. 3, c. 17.*

CHANCERY, *see* COURT of CHANCERY.

CHARITABLE GRANTS.

All charitable grants heretofore made, or within twenty years after, confirmed, the statute of mortmain or any other statute notwithstanding.---33 *Chas. 2, c. 15*. Real properties devised to them cannot be diverted from them by seven years' possession.---4 *Geo. 2, c. 4*.

CHIEF JUSTICE.

The act, 33 *Chas. 2, c. 23, s. 3*, having provided that he be sworn in in open court, and this being attended with inconvenience, it is provided that he may be sworn in before the governor, which fully qualifies him to act.---42 *Geo. 3, c. 19*. In case of death or disability, the senior assistant judge to act until a new one is appointed.---10 *Ann. c. 4, s. 5*. The clerk of the court, who is granted one hundred and fifty pounds per annum for his trouble, to pay him quarterly all fees, and if they do not amount to one thousand pounds, the deficiency must be made good by the receiver-general, provided the chief has practised three years at the bar in this island; but he must not be concerned in the management of estates, nor act under any power of attorney.---47 *Geo. 3, c. 13*. He is exempted from militia duties by the militia law.---Any one appointed chief-justice hereafter must have been an assistant judge of the supreme court for five years, or a barrister in regular practice for five years, immediately preceding, to be entitled to the additional salary, of 47 *Geo. 3, c. 13*.---51 *Geo. 3, c. 27, s. 10*. Certain fees abolished, and the salary increased to five thousand six hundred pounds per annum, to barristers of five years standing.---58 *Geo. 3, c. 18*. The judges of the supreme and assize courts cannot be removed but by his majesty's sign manual; the governor, with the advice of five of the council may suspend, sending a state of the case to his majesty, and delivering to the judge a copy thereof.---21 *Geo. 3, c. 25*. The governor may suspend with the advice and consent of a majority of the council.---57 *Geo. 3, c. 17*.

See JUDGES.

See ATTORNIES, BARRISTERS, ASSISTANT JUDGES, JUDGMENTS, &c.

CHRISTIAN.

No slave to be free by becoming a christian.---50 *Geo. 3, c. 21*.

CHURCHES.

Land to be purchased for erecting them in parishes where there are none.—14 *Geo. 3, c. 13*. No elections of members of assembly to be held in them,—28 *Geo. 3, c. 11*. No corpse to be interred in any church or chancel, under penalty of five hundred pounds on the incumbent, and the following annual compensations to the rectors granted, on account of this restriction, to be paid by the parishes; St. Catherine, seventy pounds; Kingston, one hundred and ten pounds; Port-Royal, thirty pounds; St. Andrew, fifty pounds; St. Thomas in the East, fifty pounds; Portland, twenty pounds; St. Ann, fifty pounds; St. James, fifty pounds; Hanover, fifty pounds; St. Elizabeth, fifty pounds; Clarendon, thirty pounds; St. Dorothy, twenty pounds; Vere, thirty pounds; St. Thomas in the Vale, thirty pounds. Monuments may be erected in them.—30 *Geo. 3, c. 13*. Churches must be erected in each parish, under penalty of one hundred pounds on every justice and vestryman, and, if not erected within three years, the board of works empowered to do it at the expence of the parish.—38 *Geo. 3, a. 25*. The time extended two years, by 41 *Geo. 3, c. 27*.

CHURCHWARDENS.

Churchwardens are to bind poor children apprentices.—35 *Chas. 2, c. 11*. They may send transient poor to next parish, on the way to an hospital.—17 *Geo. 3, c. 31*. They may hire a room or erect a booth for elections of members in assembly, and provide refreshment not exceeding fifty pounds.—25 *Geo. 3, c. 11*. No person to vote for them without a freehold of ten pounds per annum in the parish, three months recorded in the secretary's office; allowed no commission on any parochial money in their hands, *s. 22*.—39 *Geo. 3, c. 22*. Elections of fixed by 56 *Geo. 3, c. 27*.

See JUSTICES and VESTRYMEN.

CLARENDON, PARISH.

This parish, in the county of Middlesex, to have two representatives in assembly, 33 *Chas. 2, c. 1*, and the name given in 1677 confirmed, *c. 18*. Part of this parish in Carpenters' mountains added to Vere, 12 *Geo. 2, c. 6*, and the justices and vestry empowered to open a road near Old Wo-

man's Savanna to Luidas, in St. John.—23 *Geo. 2, c. 16, s. 8.* All carriages of burthen to be at least nine inches broad in the fellies, except trucks or carts with one beast, under penalty of forfeiting such carriage, to be sold for the benefit of the highways; but such carriages may have fellies only six inches broad, if the fore-axles be one foot shorter or one foot longer than the after axle-trees.—6. *Geo. 3, c. 13.* Trustees appointed to dispose of certain land and buildings appropriated to a school, being found an improper situation, and with the monies arising to purchase other land and erect buildings for the same purpose.—8 *Geo. 3, c. 12.* The barrack in this parish vested in the board of works to be sold, and proceeds carried to the public credit.—52 *Geo. 3, c. 18.* They have since been converted into a parochial gaol and work-house. Part of this parish taken away to form the parish of Manchester, by lines described under that name.—55 *Geo. 3, c. 23.*

CLERGY, *see* APPENDIX.

CLERGY FUND.

This fund was established by 38 *Geo. 3, c. 24*, repealed by 6 *Geo. 4, c. 17*, by which, instead of ten per cent. deduction from stipends, a sum of forty-two pounds is now taken from each of them to be invested for this purpose, for which *see* CLERGY in *Appendix*. The whole to be regulated by the act 1 *Geo. 4, c. 21*, which provides that certain sums may be taken from the money so deducted for the maintenance of deceased clergymen's families, as follow: For the first ten years one fourth to be paid to the order of the trustees, and applicable to the same purposes as the interest, and the remaining three fourths to be added to the principal bearing interest; during the second ten years, one half of the deducted sum from the stipends to be appropriated in same manner as the interest, and the other half added to the principal; and in the third ten years three-fourths to be added to the interest, and one-fourth to the capital; and, after the period of thirty years, the whole deductions to be added to the interest for the maintenance of the families of deceased clergymen. If clergymen are obliged to retire from bad health, advanced age, or infirmity, the trustees are empowered, if they have contributed to the fund for ten years, to grant half allowance to their widows and children; and if they have contributed to the fund for fifteen years to grant them a full allowance; but a certificate must be obtained from the justices and vestry of

the parish where the party was rector, in vestry assembled, that the resignation took place from one or other of the above causes.—1 Geo. 4, c. 21.

CLERK OF COMMON PLEAS, *see* COMMON PLEAS.

CLERK OF THE CROWN.

His fees fixed, and a table of them to be open in his office, under penalty of one hundred pounds.—10 Ann, c. 4, s. 18. He is to issue writs to summon jurors for assize courts, and to attend them by self or deputy, to draw up and record proceedings, and to receive one hundred pounds per annum; writs returnable to assize are to issue from his office, or that of the clerk of the court.—31 Geo. 2, c. 4, s. 20. He is to enter and attest dockets of judgments, &c. in assize courts.—31 Geo. 8, c. 8. To certify estreats of fines, &c. adjudged in grand and assize courts, to attorney and receiver-general, within twenty days, under a penalty of one hundred pounds; to attest schedules of estreats, &c. in form following:

You shall swear, that these estreats, now by you produced, are truly and carefully made up and examined; and that all fines, amerciaments, recognizances, and forfeitures, and all sum and sums of money, paid on account or in lieu and satisfaction thereof, which were set, imposed, or forfeited, and in right and due course of law ought to be estreated, are, to the best of your knowledge, understanding, and belief, therein contained; and that in the same estreats are expressed and set forth all such fines, amerciaments, and forfeitures, as have been paid into court, and the name and names of such person or persons to whom the same were paid, without any wilful or fraudulent discharge, omission, misnomer, or other defect whatsoever. So help you God.

He must certify when no fines are imposed, or when they are remitted, under penalty of fifty pounds, and he must not resist, or conceal, or take off any fine, &c. unless by order of court, if he make false certifications he forfeits fifty pounds and his office; if he does not pay all money into receiver-general in his hands, and belonging to the revenue, he may be proceeded against as a crown debtor.—1 Geo. 3, c. 13. Recognizances of secretary, provost-marshal, clerk of the court, and register in chancery, must be recorded in his office.—15 Geo. 3, c. 7. He is to register commissioners for taking affidavits for supreme court, and to advertise them for one

month, and to have a fee of five pounds on every commission for each parish in which the commissioner is empowered to act.—42 Geo. 3, c. 26.

CLERK of the PATENTS, *see* REGISTER in CHANCERY.

CLERKS OF THE PEACE.

They are to certify estreats of fines, or fines remitted, &c. in twenty days after each session to attorney and receiver-generals, under penalty of fifty pounds, and they or their deputies to attest the schedule of estreats, &c. in the same form and under the same penalties in all respects as the clerk of the crown.—1 Geo. 3, c. 13. They must attend trials of maroons, record proceedings, and give a copy to the superintendants, under penalty of twenty pounds, five pounds for each trial, and to attest maroons declaration of leaving their towns.—32 Geo. 3, c. 4. To be furnished with a copy of the laws.—c. 29, s. 8. They must keep books to toll slaves which shall be good title, with the usual condition as to *femme covert*, &c. and the same punishment is inflicted for destroying or erasing them as for destroying records.—50 Geo. 3, c. 21, s. 5. They must attend slave trials under slave law, and trials for inveigling.

See TABLE of FEES under KINGSTON.

See INVEIGLING, HIGHWAYS, and WRITS.

CLERK OF THE SUPREME COURT.

Clerks of all courts empowered to toll cattle.—33 Chas. 2, c. 10. Not to deliver any writ, except arrests and subpoenas, till declaration be filed; not to take greater fees than are taken in inferior courts for sums not above twenty pounds, unless where titles to land are tried.—10 Ann, c. 4, s. 7, 9. Inventories of record books in secretary's office to be lodged in his office.—11 Geo. 2, c. 4, s. 4. He must summon jurors for assize courts, attend these courts by himself or deputy, with originals of all proceedings, with same fees as in grand court, and a salary of one hundred pounds. Writs returnable to them to issue from his office, or from that of the clerk of the crown.—31 Geo. 2, c. 4. He must enter, subscribe, and attest dockets of judgments in assize courts.—31 Geo. 2, c. 8. He is to issue writs of *venire facias* to summon jurors.—34 Geo. 2, c. 4, s. 20. Twenty days before each supreme

court he must deliver to the attorney and receiver-general a schedule of judgments applicable to the revenue; under penalty of one hundred pounds.—1 Geo. 3, c. 13. He is to countersign writs of enquiry as to quit-rents.—9 Geo. 3, c. 9, s. 3. Assignments of judgments must be recorded in his office, and the name of assignee, and date entered on the margin of the record, and not suffer writs to issue but to assignee; he must tax his fee for entering satisfaction as part of common costs, and must enter satisfactions under penalty of one hundred pounds; when informed by the provost-marshal that writs are satisfied, he must record them in a separate book and enter satisfaction, and he must certify to provost-marshal every satisfaction entered in his office. He must keep fore and back alphabets of all judgments in supreme and assize-courts, under penalty of five hundred pounds.—14 Geo. 3, c. 24. He and two securities must enter into recognizance before the chief-justice before he can execute his office, himself in five thousand pounds, and his two sureties in two thousand five hundred pounds.—15 Geo. 3, c. 7. He is to tax two shillings and six pence on writs of execution as fee to provost-marshal.—21 Geo. 3, c. 23, s. 3. He must enter dockets and writs alphabetically, which is declared evidence in case of loss of originals.—38 Geo. 3, c. 23. All civil process to be signed by the clerk, who is to receive the fees and account to the chief-justice, and in case of his death to his representatives; in case of clerk's death his representative must account; clerk granted one hundred and fifty pounds per annum for his trouble.—43 Geo. 3, c. 25. His fees are fixed by 56 Geo. 3, c. 23, as follow: For a writ of summons, arrest, replevin, or foreign attachment, one shilling and ten pence halfpenny; filing a declaration, and copy annexed to the writ, two shillings and six pence; for a bond for foreign attachments, arrests, and replevins, and upon no other writ, two shillings and six pence; for a replication or rejoinder, two shillings and six pence; for a common plea, seven pence halfpenny; for a special plea, two shillings and six pence; for recording a judgment, two shillings and six pence; for a *venire facias*, seven pence halfpenny; for a *habeas corpus*, by order of court, two shillings and six pence; for receiving every verdict, and continuance, each seven pence halfpenny; for a *retraxit* or nonsuit recorded, each one shilling and three pence; for a writ of possession, seisin, or restitution, each five shillings and seven pence halfpenny; for signing all executions, two shillings and six pence; recording docket, two shillings and six pence; for entering satisfaction on judgment, two shillings and six pence; for signing *venditioni*, three shillings and one penny halfpenny; recording docket, two shillings and six

pence; for signing every transcript of execution or *rendition*, two shillings and six pence; for a subpoena, in which the names of three witnesses may be inserted, one shilling and three pence; for a recognizance or deposition taken in court, one shilling and three pence; for a commission to auditors, five shillings; for a writ of *scire facias*, two shillings and six pence; for returning the record on a writ of error, two shillings and six pence; for entering return of auditors, five shillings; for an exemplification of a record, five shillings; for a writ of inquiry for lands, six shillings and three pence; for recording an assignment of judgment, one shilling and three pence; for every search for assignment of judgment, seven pence halfpenny; for docketing judgments under assize-court law, each seven pence halfpenny; for every other writ issuing out of the supreme court, two shillings and six pence; for taxing costs on execution, discontinuance, or otherwise, one shilling and three pence. And if he or his clerks demand more they forfeit for the first offence fifty pounds, and every subsequent offence one hundred pounds; fees must be paid before he signs or delivers; he cannot recover any monies but by verdict of a jury, nor can the court impose any fees for him; he must furnish the judges the first day of every court with panels of jurors; he must include, in taxed costs, so much of his fees as usually compose part of the taxed costs, together with the fees to the chief-justice and to the attorney at law; his records must be carefully examined, under penalty of fifty pounds for every neglect; a table of fees must be hung up in his office, which must be open from seven till three.—56 Geo. 3, c. 23. In case of the death or insufficiency of his securities he must find fresh ones.—4 Geo. 4, c. 12.

See CHIEF-JUSTICE.

CLERKS OF VESTRIES.

All clerks of vestries directed to keep a book for entering freeholds, and grant certificates of entry, if entry neglected a penalty of fifty pounds, fee two shillings and six pence; they must produce the book at elections, fee two pounds seven shillings and six pence, and suffer searches at all times for one shilling and three pence; if they neglect to keep the book, or to produce it at poll, or take greater fees, they forfeit five hundred pounds.—21 Geo. 3, c. 15, s. 14. They are to be paid twenty-five pounds per annum, for making out quit-rent rolls.—24 Geo. 3, c. 11, s. 23. They are to make out a roll of land given in within thirty days after giving in,

and the quit-rent payable thereon, to be signed by two justices, and delivered to collecting constable.—29 *Geo. 3, c. 12.* To exert themselves in recovering quit-rents.—30 *Geo. 3, c. 14;* 31 *Geo. 3, c. 18.* They are to have a copy of laws.—32 *Geo. 3, c. 29.* They must enter on parish books duplicates of all tax rolls issued to collecting constables.—39 *Geo. 3, c. 22.* They are not to be molested by civil process in attending parochial business, *s. 25,* and transmit duplicates of rolls to receiver-general, under penalty of fifty pounds, and of all taxes appearing to be received by the collecting constable quarterly, and a penalty of twenty pounds, by the act for the more speedy collection of the public taxes, for which see APPENDIX.—Where no clerks of peace they are to toll slaves.—50 *Geo. 3, c. 21.*

COINS.

Their value regulated in 1681, and impairing or debasing declared high treason.—33 *Chas. 2, c. 19.* The current coins declared a legal payment.—24 *Geo. 2, c. 19, s. 9.* Impairing such foreign coins as are current in this island is declared felony without benefit of clergy; persons buying, selling, or having in their possession clippings or filings, forfeit them with five hundred pounds, and are subject to branding and imprisonment; any justice is empowered to enter suspected places, and break open doors, &c. and commit offenders for trial; importing base coins is declared felony without benefit of clergy; the value of the coins declared current to be as follow :

	<i>det. gr.</i>	<i>£. s. d.</i>	
Doubloons weighing.....	17 8	5 0 0	
Half doubloons.....	8 16	2 10 0	
A pistole.....	4 8	1 5 0	
Half ditto.....	2 4	0 12 6	
Quarter ditto.....	1 2	0 6 3	
French double pistole....	8 16	2 10 0	{ other parts in proportion.
Ditto pistole and a half piece.....	6 12	1 17 6	
A johannes.....	18 12	5 10 0	{ other parts in proportion.

And for every grain of gold deficient in weight three pence must be deducted. The value of the doubloon has however been raised by mercantile custom to five pounds six shillings

and eight pence, and the other parts in proportion; by this act the above coins are declared to be legal, saving the rights of the crown to alter by proclamation. Coins suspected to be base to be cut in two equal parts by order of a magistrate, who must return the pieces to the owner.—14 Geo. 3, c. 18.

COFFEE, *see* PRODUCE.

COLLECTING CONSTABLES, *see* APPENDIX.

COMMISSIONS.

Real Estate. The commissions of attornies of absentees, trustees, guardians, executors, &c. reduced to six per cent. including factorage, commission for supplies; and for receiving and remitting money out at interest, five per cent.; any one demanding a higher commission to forfeit one hundred pounds, as well as their commission. Mortgagees in possession to have no commission but what they pay the factors. Commission on sales not affected.—24 Geo. 2, c. 19.

COMMISSIONERS, *see* AFFIDAVITS.

COMMISSIONERS of ACCOUNTS, *see* APPENDIX.

COMMITMENT.

Persons apprehended for unbailable offences, or who cannot find security, must be committed, (*see* BAIL), justices may also commit for contempt in refusing to be bound. If a prisoner be brought before a justice, expressly charged with felony upon oath, the justice cannot discharge him but must bail or commit him. If charged on suspicion with felony, and the crime not proved, or if the offence appear not to be felony, the justice may discharge him; as if a man were charged with carrying away goods that were delivered to him, but he may be bound over for a trespass. If a man be killed, though by mischance or in self defence, or an assault upon a minister of justice in the execution of his office, the justice ought not to discharge the offender, for he must undergo a trial for it, and therefore be committed or bailed. Commitments must be in writing, either in the name of the king or of the justice committing, expressing his office or authority, and must be directed to the keeper of the prison or gaoler; and a magistrate may by parole order an offender to be detained in custody, until a warrant of commitment is made out.

FORM OF COMMITMENT.

George the fourth, by the Grace of God of the United Kingdom of Great-Britain and Ireland, king, or A. B. one of his majesty's justices of the peace for the parish of

To the keeper of the gaol of

Receive into your custody the body of A. B. late of the parish of charged, upon the oath of, C. D. with having feloniously stolen, [here state the offence] and him safely keep in your gaol until he shall be delivered by due course of law. Given under my hand and seal this day of and in the year of his majesty's reign.

Magistrate's name and seal.

CONSTABLES.

Constables are petty or special, the petty constable's jurisdiction extends over the parish for which he is sworn; a special constable has the same power as the other, but he is only appointed for particular emergencies, to assist the other in his duties, they may execute a warrant any where within the jurisdiction of the justice who signs. In cases of riot, tumult, or felony, two justices may appoint special constables, and in such cases the appointment is compulsory. A constable may appoint a deputy to execute his office, when sick, absent, or otherwise he cannot do it himself, but if the deputy be not duly sworn the constable is liable for his actions. The general duties of a constable are to keep the peace, prevent the violation of the laws, and apprehend offenders, and execute the warrants of coroners and justices. In affray he may apprehend those who threaten it and carry them before a justice. If in a house he may break open doors. But unless the affray is in his own presence he must have a warrant, except in cases of felony. If a sworn constable, he is not obliged to shew his warrant, but a warrant of distress must be shewn. The constables are appointed by a special session of magistrates. A constable refusing to be sworn may be indicted at the sessions. If a constable is assaulted in the execution of his office, and the constable kill the assailant it is no felony, but if the constable be killed it is deemed premeditated murder.

All parishes authorised to hire constables (except Port-Royal, St. Catherine, and Kingston, but they now are by their several

police acts) on or before the 31st March each year, and the justices and vestry empowered to pay them, at their discretion, and replace those disabled or dead, and in case of misbehaviour the vestry assembled empowered to discharge them, and hire others, and, if vestries neglect, the justices in session may appoint them, and, if they misbehave, the vestries may discharge them.—18 Geo. 3, c. 17. [For a table of Constable's fees, see KINGSTON.]

OATH OF A CONSTABLE.

You shall well and truly serve our sovereign lord the king in the office of constable for the parish of for the year ensuing, according to the best of your skill and knowledge. So help you God.

CONVEYANCE, see DEEDS.

CORNWALL, see COUNTIES.

CORONER.

All English laws in regard to coroners are declared in force in this island by 11 Geo. 3, c. 15. They must be elected by freeholders of the parish, worth ten pounds per annum, and recorded three months in the secretary's office and vestry books.—39 Geo. 3, c. 22. Their fee on each inquest by 10 Ann, c. 4, s. 15, and 11 Geo. 3, c. 15, was fixed at three pounds, increased to five pounds, besides two shillings and six pence per mile, excepting to the coroner in Kingston, who is to have only three pounds on inquisitions held in the gaol, hospital, or workhouse. If several bodies be viewed at the same time and place, it is considered as one inquisition; by this act the governor was empowered to issue writs for the election of coroners in parishes who had none, viz. St. Thomas in the Vale, St. Dorothy, St. John, St. David, and Port-Royal mountains.—41 Geo. 3, c. 13. Possessors of properties must inform the coroner, or in his absence a justice, of the sudden death of any person, or who may die in any manner out of the course of nature, on such property, under pain of being indicted for a misdemeanor, and subject to such punishment as the court may award, not exceeding five hundred pounds, nor six months imprisonment; supervisors of workhouses and gaol-keepers must give coroner notice of all deaths whatsoever in workhouses and gaols, under a like penalty; bodies are not to be removed or buried in less than twenty-four hours, unless ordered by the coroner or justice, under the penalty aforesaid. Notice from any slave to be deemed valid, and no master,

owner, or his attorney, shall be a juror on an inquest on his own slave; and justices must hold inquests on slaves belonging to coroners; the coroner to receive no fee or mileage, unless he holds the inquest himself; when twelve jurors cannot be procured an affidavit to that effect must be made by the coroner. This act not to alter the laws of this island or England respecting coroners. Penalties to be recovered in supreme and assize courts.—58 Geo. 3, c. 23. They must execute their office notwithstanding martial law. In cases of murder or manslaughter the evidence on inquests to be taken in writing, or as much as may be material, and the coroner is empowered to take recognizances for appearance of witnesses, at supreme or assize courts, and must certify and subscribe the evidence and recognizances as also the inquisition, and deliver the whole to the clerk of the crown, and if he offends he is punishable as the court may direct.—9 Geo. 4, c.

The following is the form of the coroner's precept to summon a jury:

JAMAICA, ss.

By virtue of my office, these are, in his majesty's name, to charge and command you, that, on sight hereof, you summon and warn twenty-four good and sufficient men of the

personally to appear before me, on
the day of
at o'clock, at
at

then and there to do and execute all such things as shall be given them in charge, on the behalf of our sovereign lord the king, touching the death of

And for your so doing, this is your warrant: And that you also attend at the time and place above-mentioned, to make a return of the names of those you shall so summon, and further to do and execute such other matters as shall be then and there enjoined you: And have you then there this warrant.

Given under my hand and seal, this day of 18

I. S.

Coroner.

To any lawful constable of the said parish of

The following oath is administered to the foreman of the jury:

You shall diligently enquire, and true presentment make, of all touch matters and things as shall be here given you in charge, touching the death of A. B. now lying dead, of whose body you shall have the view: You shall present no man for hatred, malice, or ill will, nor spare any through fear, favour, or affection, but a true verdict give, according to the best of your skill and knowledge. So help you God.

The rest of the jury to be sworn three or four at a time, as follows:

The same oath which A. B. your foreman upon this inquest, hath now taken before you, on his part, you and each of you are severally, well and truly to observe and keep on your parts. So help you God.

The witnesses are sworn as follows:

The evidence which you shall give to this inquest, on behalf of our sovereign lord the king, touching the death of A. B. shall be the truth, the whole truth and nothing but the truth. So help you God.

The following is the form of the inquisition:

JAMAICA, ss.

An inquisition indented, taken for our sovereign lord the king, at _____ in the parish of _____ and county of _____

in the _____ year of the reign of our sovereign lord George the fourth, by the grace of God of the united kingdom of Great Britain and Ireland, and of Jamaica, Lord, Defender of the Faith, and so forth, and in the year of our Lord one thousand eight hundred and _____ before _____ esquire, coroner of our said lord the king, for the

parish of _____ on view of the body of _____

then and there lying dead, upon the oaths of _____ good and lawful men of the said _____ duty chosen, and being then and there duly sworn and charged to enquire for our sovereign lord the king, when, where, how, and after what manner, the said _____ came to _____ death,--do, upon their oath, say

In witness whereof, as well the said coroner as the jurors aforesaid, have to this inquisition set their hands and seals, on the day and year, and at the place first above-mentioned.

Coroner's name and seal.

Jurors names and seals.

The inquisition must be signed and sealed by the coroner and jury, and delivered as their act and deed.

COUNCIL.

The council are appointed by a writ of mandamus from the king, directed to the governor, and countersigned by the secretary of state, their number is twelve, and in case vacancies take place, by death, departure, or suspension, so as to reduce the board under seven, the governor is empowered to fill up the number, but no farther; they are styled honourable, and in case of death or absence of the governor, the president succeeds under that title; they form a privy council in affairs of state, the governor presiding; they are named in every commission of the peace as justices throughout the colony; they sit with the governor, as judges in the court of error or court of appeal in civil causes; they are a constituent part of the legislature, and their consent necessary to the enacting of laws; in this capacity they claim privilege of parliament, order attendance of persons, and the production of papers and records, they commit for contempt, and enter protests on their journals after the manner of the house of peers, and have their chaplain, clerk, usher of the black rod, &c. They enjoy a revenue of ten thousand pounds per annum. The governor may suspend members of the council on just cause, but must immediately signify to government any vacancy from whatever cause.

COUNTIES.

The island is divided into three counties, viz. Middlesex, consisting of the parishes of St. Catherine, St. John, St. Dorothy, St. Thomas, in the Vale, Clarendon, Vere, St. Mary, St. Ann's, and Manchester; Surrey, of the parishes of Porto Royal, Kingston, Portland, St. Andrew, St. David, St. Thomas, in the Rest, and St. George; Cornwall, of the parishes of Westmorland, St. Elizabeth, Hanover, St. James, and St. Mary. The power of holding courts given, 13 Geo. 2, c. 4. Gaols to be erected in Surrey and Cornwall 13 Geo. 2, c. 2. See CONFESSES ASSIZES.

COURT OF ADMIRALTY.

Offences committed upon the sea, or in any haven, &c. whereto the admiral's jurisdiction extends, shall be tried and judged within the island, in such form as if such offences had been committed on land; commissions to issue under the great seal, directed to the judge or judges of admiralty, and commissioners appointed by the governor, who are fully authorized to try and condemn offenders.--33 *Chas. 2*, c. 8. s. 2. Fees of the court.--10 *Ann*, c. 4, s. 29. Table of fees to be open in the register's office, any officer exacting more to forfeit one hundred pounds and be incapacitated.--29 *Geo. 2*, c. 4. Judges of the supreme court and assizes to have concurrent jurisdiction with the court of vice-admiralty in regard to offences committed on the high seas; and a verdict of manslaughter may in future be given in courts of vice-admiralty, upon indictments for murder.--50 *Geo. 3*, c. 14. This court has two jurisdictions, one an *instance* court for deciding all maritime causes, and the other a *prize* court similar to the high court of admiralty in England, to which, or to the king in council, an appeal from the decisions of this court lies. The judge holds his office from the king, but may, on just cause, be suspended by the governor with the consent of a majority of the council, till his majesty's pleasure be known.

COURTS OF ASSIZE.

The island divided into three counties, and the governor empowered to issue commissions appointing justices of assize for Surrey and Cornwall, who must not act until sworn in open court, and to have same authority as justices of assize in England. All indictments, presentments, and informations for crimes, filed or found in the supreme court, but committed in Surrey and Cornwall, must be tried by juries of the same counties at the assize courts in Kingston and Savanna-la-Mar (now Montego-Bay); but this act not to lessen the authority of magistrates. All actions or suits, of whatever nature and kind that may be brought in supreme court must have the name of the county where the action arose endorsed thereon and on the margin, must be tried and determined by the justices of assize and juries in the respective counties; but the authority of petty courts not hereby abridged. No information respecting the violation of any act of parliament or assembly, relating to trade or navigation, or laying duties and customs on importation or exportation, nor for land under the quit-rent acts, nor any escheat, can be tried in these courts. In-

formations for land, under quit-rent law, to be proclaimed in the assize courts that immediately follow the supreme court in which they are proclaimed, and as often as they are proclaimed there, and such proclamation is to be endorsed on the back of the information. In all actions for freedom, or ejectment, dower, partition, or where the right to lands is in question, if motion is made, at the instance of plaintiffs or defendants, and on shewing sufficient cause, the judges of supreme court may direct the issue to be tried before them, but extra costs must be paid by the party requiring the removal. Judgments in these courts, unless cause shewn within one day, valid, and not revisable by grand court, and executions may be taken out, returnable at next supreme court, as if the judgments had been obtained there the preceding court, they are considered as one and the same court, and the judgments to have the same priority; the judges of assize may make rules, set fines, &c. independent of the grand court, jurors to be summoned in same manner, and the provost-marshal, clerk of the crown, and of the supreme court, to attend themselves or by deputies.—31 Geo. 2, c. 4. Judges of cannot be removed but by his majesty. The governor, with advice of council, may suspend, until his pleasure is known, a state of the case must be furnished the king, and a copy to the judge.—21 Geo. 3, c. 25. Cornwall assizes to be held the first Mondays in March, July, and November, the Surrey assize the first Monday in April, August, and January, both to continue for three weeks, if necessary.—38 Geo. 3, c. 23, but since altered, the Cornwall assizes to the second instead of first Monday in March, the Surrey assizes to the second instead of the first Monday in January and April.—1 Geo. 4, c. 22. The supreme court, in cases of judgment in civil suits, has cognizance over the courts of assize in all complaints of fraud, surprise, or irregularity, or for any matter in which complaint may be made in supreme court; in cases of judgment given in the supreme court itself, in like manner as in cases of judgment given in the supreme court, such complaints not having come under the previous discussion of decision of the assize courts, but nothing herein to abridge the power of the justices of assize in cases of motion in arrest of judgment, or for new trial.—44 Geo. 3, c. 22. Montego-Bay to be the county town of Cornwall, and the assize court and gaol of Cornwall to be removed from Savanna-la-Mar to that place, with the same powers.—56 Geo. 3, c. 20.

See ATTORNIES, AUDITOR, BARRISTERS, BOOKS of ENTRIES, CERTIORARI, CLERKS of COURTS, COURT SUPREME, JUDGES, JUDGMENT, JURY, SUBPENA, WRITS, &c.

COURT OF CHANCERY.

The governor sits as chancellor, and may grant a *justicius* to any court of common pleas.--33, *Chas. 2, c. 23, s. 2*. He is to cause all grants and patents in the office to be sealed the Tuesday before each grand court.--2 *Ann, c. 7*. All process, except attachments, may be served by any person.--10 *Ann, c. 4, s. 24*. Certain transcripts in office declared legal.--23 *Geo. 2, c. 12*. The chancellor may appoint barristers to enquire into and certify the abilities of solicitors, attornies of law, and proctors.--4 *Geo. 3, c. 8*. Proceedings to be newly transcribed when necessary, and all proceedings to be recorded within ninety days after lodged.--9 *Geo. 3, c. 17, s. 2*. Solicitors must be legally admitted before they can practise.--14 *Geo. 3, c. 3*. The court cannot relieve when double rent may be demanded of tenants, who keep possession beyond their term.--25 *Geo. 3, c. 7, s. 1*. When equity of redemption of lands, slaves, &c. is wanted to be foreclosed, and defendant admits right, the court may make orders previous to hearing, which are binding, but not to affect cases when the party, by writing, shews that those claiming redemption have no right thereto, or that there are other incumbrances on the premises, nor where the right of redemption is claimed by different defendants.--25 *Geo. 3, c. 10*. Monies to be paid into court to be paid into the hands of the receiver-general, which, after three months, bear an interest of five per cent, from the time when paid in; and register directed to pay over all monies in his hands, which is to bear like interest.--4 *Geo. 4, c. 21*.

See MASTERS in CHANCERY, MORTGAGES, REGISTER in CHANCERY, in Appendix.

COURTS OF COMMON PLEAS.

Courts of common pleas established, or to be established, to have jurisdiction over all causes, wherein any freehold is not concerned, to the value of twenty pounds, with costs, and to be held quarterly at the same time as the quarter sessions; the chancellor may grant a *justicius* for any one of them to hold pleas to any amount; no action to be brought in supreme court for less than twenty pounds, but in the common pleas of the parish where its cause arises, if both parties reside there, except in the precinct of St. Catherine, until the parishes shall have petty courts, s. 1 and 6. Judgment: 44th the party has been summoned, and does not appear, to go by default as well

in supreme as in inferior courts.—33. *Chas. 2, c. 23.* Fees fixed and costs to be settled by the clerk.—10. *Ann. c. 4, s. 10, 13.* The judges may issue foreign attachments for sums under twenty pounds, but not to interfere with slaves or with real property, *s. 11, 12.* The establishment of assize courts not to abridge the authority of courts of common pleas.—31. *Geo. 2, c. 4, s. 6.* Clerks to certify fines, recognizances, &c. to attorney-general within twenty days after court, under penalty of fifty pounds; they must attest schedules of estreats for the attorney-general in same manner and under like penalties, in all respects as clerks of crown, (*see that Article.*)—1. *Geo. 3, c. 13.* Attornies must be duly admitted before they can practise in them, under penalty of one hundred pounds and two hundred pounds on the judges permitting it.—14. *Geo. 3, c. 3, s. 11.* Judges of, in case no assistant judge of supreme or assize courts be within twelve miles, may order restitution or delay sales of slaves, of minors, &c. on proper representation.—17. *Geo. 3, c. 7.*

COURTS-MARTIAL, *see* MILITIA and APPENDIX.

COURT OF ERROR.

This court is held by the governor and council for hearing appeals from supreme and assize-courts, in the nature of writs of error; an appeal also lies from the judgment of this court to his majesty in council, but under the following restrictions: the debt must exceed three hundred pounds sterling, except it relates to duties, fees of office, or annual rent: in cases of fines no appeal allowed if under two hundred pounds sterling; appeals must be made within fourteen days and security given to prosecute and answer to all damages awarded: no appeal from courts of error or chancery to king in council allowed, unless debt and damages exceed five hundred pounds sterling, except relating to duties, fees of office, or annual rents, and such appeal also to be made in fourteen days and same security given. On an appeal to king in council the proceedings are copied and sworn to by clerk and sent to England under the great seal within a year.

COURT OF ORDINARY.

The governor presides in this court as ordinary for the determining ecclesiastical matters. Barristers and solicitors prac-

sitting in it must be duly qualified, as noticed under their respective names. This court determines questions of administration of estates, and probates of wills.

COURTS OF QUARTER SESSIONS.

The authority of quarter sessions not abridged by the establishment of assize-courts.—31 Geo. 2, c. 4. Fines to be certified by the clerk of the peace, in twenty days, to attorney and receiver-generals.—1 Geo. 3, c. 13, s. 2. Attornies must be regularly admitted before they can practise in, under penalty of one hundred pounds, and on the sitting magistrates of two hundred pounds for permitting it.—14 Geo. 3, c. 3. The act for preventing breaches of trust by attornies, &c. to be read at each sessions.—13 Geo. 2, c. 5.

In opening a court of quarter sessions the same ceremonies are observed as in the superior courts; proclamation being made by the crier, the writ of *venire* for summoning the jurors is read by the clerk of the peace, the jurors are then called over, and when thirteen appear the clerk acquaints the court and requests that a foreman may be appointed as of the grand jury, who is sworn as follows:

*You, as foreman of this inquest, shall diligently enquire, and true presentment make, of all such matters and things as shall be given you in charge. The king's counsel, your fellows, and your own, you shall keep secret. You shall present no man for envy, hatred, or malice, neither shall you leave any unrepresented for fear, favour, or affection, or hope of reward; but you shall present all things truly as they shall come to your knowledge, according to the best of your understanding—
So help you God.*

The other jurors are then sworn, three or four at a time, as follows:

*The same oath which your foreman hath taken on his part, you, and every of you, shall well and truly observe and keep.—
So help you God.*

After counting them over, the clerk then directs them to listen to any charge from the bench, and constables are sworn in to take charge of them as follows:

*You do swear that you will diligently attend the grand jury during the present session, and that all such papers as shall be entrusted to your care for the grand jury, and by the grand jury for the court, shall be returned without any alteration or obliteration thereof.—
So help you God.*

The grand jury then proceed to their room, accompanied by a constable, to wait for such bills as may be sent them.

The clerk of the peace then publishes his calendar, and calls the several parties under recognizance to appear, and applies to the court to estreat such as do not make their appearance, which is most frequently done, with a respite for their appearance during the sitting of the court. The whole panel of jurors are then called over, twelve of whom form the petit jury, with whose names the indictments are filled up and sent to grand jury, with the witnesses, who are sworn in court, as follows :

A. B. the evidence which you shall give to the grand jury, on this bill of indictment, on the behalf of our sovereign lord the king, against C. D. shall be the truth, to the best of your knowledge, the whole truth, and nothing but the truth. So help you God.

When the grand jury return a bill, the clerk asks leave of the court to publish it, and, if found a true bill, the party is called upon to plead thereto, and in case he wishes to traverse the trial to next court, fresh recognizances are taken for his appearance as well as the witnesses and prosecutor. Should the party not have been apprehended a bench warrant must issue, when the recognizances of the prosecutor and witnesses to appear must be renewed. The party, if willing, may at once go to trial, if there appears no reason for traversing on behalf of the crown.

If the trial proceeds the following oath is administered to the foreman of the petit jury :

You shall well and truly try this issue of traverse, between our sovereign lord the king and C. D. and a verdict return according to evidence. So help you God.

The other jurors are sworn, three or four at a time, in the same form and words as the grand jury.

The following is the oath administered to the witnesses :

The evidence which you shall give to this honourable court and jury sworn to try this issue between our sovereign lord the king and C. D. shall be the truth to the best of your knowledge, the whole truth, and nothing but the truth. So help you God.

Form of a warrant for the quarter sessions :

JAMAICA, ss.

Whereas complaint on oath hath been made unto me, by

These are in his majesty's name to require, charge, and command you, each, and every of you, immediately after the receipt hereof, to apprehend, and take, or cause to be taken, the said

and to bring
before me, or some one other of his majesty's justices of the peace
for
to be dealt with according to law: hereof fail not.

Given under my hand and seal, this day of 18
L. S.

To my lawful constable
of the

Form of an indictment in the quarter sessions :

JAMAICA, ss.

At a general court of quarter sessions of the peace of our sovereign
lord the king, holden at the
in the parish of in the island aforesaid,
for the parish

the day in in the
year of the reign of our sovereign lord George the fourth, by the
grace of God of the united kingdom of Great-Britain and Ireland,
king, and of Jamaica lord, defender of the faith, and so forth ; in
the year of our lord one thousand eight hundred
before

esquires, justices of our said lord the king, assigned to keep the
peace of our said lord the king, in and for the parish of
aforesaid ; and also to hear and determine
divers felonies, trespasses, and other misdemeanors in the said parish
committed : It stands presented on the oaths of

good and lawful men, of the said parish and precinct, then and there
returned, sworn, and charged to inquire for and on behalf of our
said sovereign lord the king, of and concerning sundry offences com-
mitted within the said parish

And the jurors for our said sovereign lord the king, upon their oaths,
do present and say, that

upon the day of in the
year of the reign of our said sovereign lord the king, and in the
year of our lord one thousand eight hundred
at the parish of aforesaid, in the island aforesaid,
and within the jurisdiction of this court, with force and arms, &c.
to wit, with fists, canes, clubs, sticks, swords, and other unlawful
weapons, in and upon

in the peace of God, and of our said lord the king, then and there
being, did make an assault, and
the said then and there did

and other enormities to the said
then and there did, to the great damage of the said
and against the peace of our said lord the king, his
crown and dignity.

COURT, SUPREME.

The judges of supreme court are empowered to have cognizance of all pleas, civil, criminal, and mixed, as fully as the court of king's bench, &c. in England, and to be held in St. Jago de la Vega; no judge to officiate until sworn, nor to receive any other profits than allowed by law, under penalty of five hundred pounds, they are to establish rules and orders, and barristers and attornies must be properly qualified before they are allowed to act; the judges shall at all times order amendments, on motion, and no one suffer through error of form; no action of waste to be allowed to lie; no action to be brought for less than twenty pounds, excepting in the precinct of St. Catherine, where there are no petty courts.—33 *Chas. 2, c. 23*. Costs to be settled by the clerk of the court.—10 *Ann, c. 4*, and judges to add or alter fees, *s. 3, 8*. The published laws to be received as evidence in.—30 *Geo. 3, c. 20*. This court has the exclusive power of trying actions for breaches of acts of parliament or of the island, relating to trade and navigation, or for laying any duties of customs on importation or exportation, and in all informations for land under quit-rent acts, and in all escheats.—31 *Geo. 2, c. 4, s. 14*. The supreme court to be holden the first Monday in February, June, and October, to continue three weeks, if necessary.—38 *Geo. 3, c. 23*, but by 1 *Geo. 4, c. 22*, the time of meeting is altered to the second Monday in February instead of the first. Judges of supreme court and of assize have concurrent jurisdiction with the court of vice-admiralty in regard to offences committed on the high seas.—50 *Geo. 3, c. 14*.

See ASSISTANT JUDGES, CHIEF-JUSTICE, CLERK of SUPREME COURT, COURTS of ASSIZE, and PROCESS, in APPENDIX, JUDGMENTS, JURORS.

COSTS.

In cases of petty debts, costs must not be awarded greater than the sum of the debt, but less, at the discretion of the judge and clerk.—1 *Geo. 3, c. 21*.

COSTS OF INCREASE.

In suits in law and equity for monies lent on mortgage or specialty, and a defence is set up, if the plaintiff obtain a judgment or decree, besides taxed costs, he must repay plain-

tiff's fees to counsel and all other charges incurred, as costs of increase, but which the court may moderate.—24 *Geo.* 2, c. 19, and 29 *Geo.* 3, c. 13. By the former, the plaintiff's counsel, if demanded, must give a certificate of fees, and where payment is to be made in Great-Britain the defendant also to pay commission and all the expences for remitting.

See WRITS of ERROR.

CRIMINAL LAW.

In all indictments or informations for a felony or misdemeanor, where it may be necessary to state ownership of any property in possession of more than one person, as partners, or otherwise, it is sufficient to name one of them; and no indictment to be abated by plea or misnomer, or want of addition, or wrong addition, if the court be satisfied of the truth of the plea, but the indictment must be amended according to the truth; no judgment for felony or misdemeanour shall be stayed for want of averment of matter unnecessary to be proved, nor for the omission of the words "as appears by the record," or of the words "with force and arms," or the words "against the peace," nor for the insertion of the words "against the form of the act," instead of the words "against the form of the acts," or *vice versa*, nor for a wrong designation or name, nor for omitting the time, where time is not the essence of the offence, nor for stating the time imperfectly, nor the offence on a day subsequent to the finding the indictment, or on any impossible day, or a day that never happened, nor for want of a proper or perfect venue, where the court have had jurisdiction over the offence; no judgment to be stayed for want of a *similiter*, nor because process has been awarded to a wrong officer, nor for any misnomer or description of the officer or jurors, nor because a juror has not been properly returned; and where the offence has been created by any act, or subjected to a greater degree of punishment, or extended from the benefit of clergy by any act, the indictment shall, after verdict, be held sufficient to warrant the punishment prescribed by the act, if it describe the offence in the words of the act.—8 *Geo.* 4, c. This act also contains regulations as to proceedings of justices and coroners in taking bail, *see* words BAIL and CORONER.

CROP ACCOUNTS, *see* ATTORNIES for ESTATES.

CUSTOMS, *see* APPENDIX.

DEBTS.

Those not exceeding forty shillings to be decided by a justice of the peace, without appeal, if not concerning titles to lands, who, on complaint, may issue a summons, and, if not obeyed, warrants of contempt, for which contempt the parties may be fined ten shillings, for use of the parish, to be recovered with debt and charges, by distress, in failure whereof, the parties may be confined until debt and charges paid. Proceedings to be recorded. In such debts justices may issue warrants of attachment to constables, and determine matters immediately.—33 *Chas.* 2, c. 6, and c. 23, s. 9. Debts above twenty pounds to be sued in the grand and assize-courts, those not exceeding in the courts of common pleas, excepting in the precinct of St. Catherine where there is no court of common pleas, and judgments taken for twenty pounds are not affected by priority.—33 *Chas.* 2, c. 23, s. 6. Where there are mutual debts between plaintiff and defendant, or if either party sue or be sued as executor or administrator, where there are debts between the testator or intestate and either party, one debt may be set off against the other; if notice be given of the sum insisted on, and upon what account it became due, and debts on bond or specialty shall be pleaded in bar; if plaintiff recover, judgment shall be entered for no more than shall appear to be justly due after one debt is set against the other.—10 *Geo.* 3, c. 1. Between party and party inhabiting and residing in the town of St. Jago de la Vega, debts not exceeding ten pounds are to be recovered in the same manner as debts not exceeding forty shillings.—43 *Geo.* 3, c. 21, s. 42. White prisoners for debt are allowed three shillings and four pence per day, and all others one shilling and three pence, and a penalty of ten pounds on gaol-keeper for not paying, but affidavit must be made of the inability of the parties to maintain themselves; and under a like penalty he must supply such necessaries to the sick as the physician to the gaol may direct; the gaol-keepers accounts must be attested, and no charge made for prisoners who have escaped, and he is to receive six per cent. for his advances: no rent to be taken for any apartment in the gaol under penalty of fifty pounds, and all penalties to be recovered before three justices, half to the person informing, and half for the use of the public, and proceedings before the justices declared final.—44 *Geo.* 3, c. 31. Allowance to persons of free condition raised to two shillings and six pence per day, and to slaves five shillings per week, under penalty of ten pounds on gaoler, recoverable before two justices, and the same for not furnishing necessaries to the sick, but allowed six per cent. interest per annum for advances.—18 *Geo.* 3, c. 30.

The following is a form of summons for small debts :

JAMAICA, ss.—*St. Catherine.*

By _____ esquire, one of his
 majesty's justices assigned to keep the peace, and also to hear
 and determine divers felonies, trespasses, and other misdemeanors
 in the said parish committed.

Whereas complaint hath been made unto me by
 that

(both of said parish) is justly indebted unto _____ in
 the sum of _____ which refuses to pay ;
 These are therefore, in his majesty's name, to require and command
 you to summon the said _____ to appear
 before me, or some other of the justices of the peace of the said pa-
 rish, on _____ next, or on some subsequent day, whereof
 you shall have reasonable notice, at eleven o'clock in the forenoon,
 to shew cause (if any ha) wherefore the said sum should not
 be paid.—Hereof fail not, as you will answer the contrary; and
 this shall to you be sufficient authority.

Given under my hand and seal, this _____ day of
 To any lawful constable
 of the said parish.

T. S.

I make oath, that the above-mentioned sum is justly due me. So
 help me God.

See ACTIONS, COURTS, and Articles mentioned under WRITS,
 also INDENTED PERSONS, in APPENDIX, and INSOLVENT
 DEBTORS.

DEEDS.

Deeds in due form, proved before the governor, or a judge,
 to be recorded within three months, or not valid. Deeds omit-
 ted to be recorded, if recorded before a second sale, made va-
 lid: those made out of the island, properly proven, and ac-
 knowledged in the mayoralty court of London, and attested
 under its seal, and recorded six months after arrival, valid, un-
 less a sale, lawfully made here, is recorded previously.—33 *Chas.*
 2, c. 12. Bills of sale and other conveyances, made by hus-
 band and wife, and acknowledged before a judge, and duly
 recorded, declared valid.—33 *Chas.* 2, c. 22, s. 3. Those
 made by absentees, either husband and wife, or single, and ac-
 knowledged before the lord mayor, or mayor of any city in
 England or Ireland, or before the governor of any British
 island or colony, and duly recorded, to be effectual in con-
 veying lands or tenements.—2 *Ann.* c. 7, s. 15. Receipts to
 be given for all deeds or writings left in secretary's office,

and the date endorsed on them when entered to be the date of the record.—10 *Ann.* c. 4, s. 2. All deeds heretofore made, having been proved or acknowledged, are to be valid, where no second sale has been recorded; deeds executed here are to be proved or acknowledged, and recorded in ninety days, or to be of no effect against other real purchasers or mortgagees, who may prove and record in time; but they remain valid against the first vnder or mortgager, if enrolled prior to a second sale being recorded; deeds executed out of island to be recorded in six months after their dates, or ninety days after arrival, or to be void as to all but the vnder or mortgager, if the first vendee or mortgagee shall prove and record prior to the recording a second purchase.—4 *Geo.* 2, c. 3. Time of recording deeds executed out of the island extended to twelve months, but still within ninety days after arrival.—16 *Geo.* 2, c. 5. If conveyances made to create votes at elections they are to be valid and absolute notwithstanding any agreement for re-conveyance; those concerned forfeit five hundred pounds.—21 *Geo.* 3, c. 15, s. 15.

See PROBATES, SECRETARY.

DIVIDING FENCES, *see* FENCES.

DOWER.

Wives assigned as dower may be levied on for debts but not for legacies; and husbands may sell or give those away he holds in his own right, which bars dower.—50 *Geo.* 3, c. 21, s. 4.

DRAX'S FREE-SCHOOL, *see* ST. ANN'S.

DRAYS, *see* KINGSTON.

DROGGERS.

Masters to give security once a-year.—35 *Chas.* 2, c. 1. On paying usual rates they may carry goods to or from any public wharf, and any person obstructing them forfeits forty shillings.—11 *Ann.* c. 3, s. 4. Rates of freight fixed, 31 *Geo.* 3, c. 3, but since regulated by a meeting of those

concerned in Kingston, 16th February, 1816.* Good may be

***RATES OF FREIGHT FOR DROGGERS,**

AS ESTABLISHED AT A MEETING OF THE PLANTERS, MERCHANTS, AND OWNERS
OF COASTING VESSELS, HELD IN KINGSTON, ON THE 16TH FEBRUARY, 1816.

*From and to Rocky-Point, Port-Morant, Morant-Bay, Yallahs,
Old-Harbour, and Salt-River.*

	£.	s.	d.
Hogsheads of sugar	1	10	8
Tierces of sugar, coffee, pimento, and ginger, and puncheons rum	0	17	6
Barrels of all descriptions (except to Old-Harbour and Salt-River, 3s. 9d.)	0	5	0
Lumber, bricks, and wood-hoops, per M.	2	0	0
Shingles, per M.	1	0	0
Pipes of wine and spirits	2	0	0
Sheets of lead	0	17	6
Pigs of lead	0	2	6
Hogsheads of fish	0	17	6
Hogsheads of coals, lime, and salt	1	10	0
Empty puncheons	0	5	0
All other articles in proportion.			
Dye-woods, per agreement.			

*From and to Plantain-Garden-River, Manchioneal, Port-Antonio,
Milk-River, Alligator-Pond, Black-River, and Savanna-la-Mar.*

Hogsheads of sugar	2	0	0
Tierces of sugar, coffee, pimento, and ginger, and puncheons rum	1	6	8
Barrels of all descriptions	0	6	8
Lumber, bricks, and wood-hoops, per M.	3	0	0
Shingles, per M.	1	10	0
Pipes of wine and spirits	3	0	0
Sheets of lead	1	6	8
Hogsheads of fish	1	6	8
Hogsheads of coals, lime, and salt	2	0	0
Empty puncheons	0	7	6
All other articles in proportion.			
Dye-woods, per agreement.			

*From and to the northside ports, to leeward of Port-Antonio, as
far as Lucea.*

Hogsheads of sugar	3	0	0
Tierces of sugar, coffee, pimento, and ginger, and puncheons rum	1	15	0
Bags of all descriptions, per cwt.	0	5	0
Barrels	0	10	0
Pipes of wine and spirits	4	0	0
Hogsheads of coals, lime, and salt	3	0	0
Ditto of fish	1	15	0
Lumber, bricks, and wood-hoops, per M.	4	0	0
Shingles, per M.	2	0	0
Sheets of lead	1	15	0
Empty Puncheons	0	10	0
All other articles in proportion.			
Dye-woods, per agreement.			

Boxes of soap and candles, and skins, three to be considered equal to a barrel.

detained to pay freight; for goods carried to an outport payment may be demanded from the shipper, and recovered before two justices; the freight of goods from one outport to another may be agreed for, and enforced by a justice where the shipper resides; all goods to be delivered by weight, gauge, measure, quantity, and condition, and two bills lading signed; masters of vessels to sign them, under penalty of twenty pounds; they must clear out every time they sail from Kingston, specifying the ports they go to on oath, and must not call at any other, under penalty of fifty pounds, till they have been at them, accidents excepted, of which a regular protest must be made in forty-eight hours; commanders failing to deliver goods forfeit treble the value; those not delivering rum, complete proof, forfeit ten pounds for every cask; those adulterating wines forfeit double its value; they must be registered at the naval office with the names of the owner and commander, and the number of the vessel, under penalty of two hundred pounds. Bills of lading must be given for goods carried to and from Passage-Fort and Port-Henderson.—31 Geo: 3, c. 3. Not obliged to employ pilots—48 Geo: 3, c. 29, s. 8.

EJECTMENT.

In cases of ejectment, a surveyor's bill must not exceed one hundred and fifty pounds, unless he shall have attended more than one court, when the judges may allow a further sum, not exceeding one pound six shillings and three pence per day, and the court may enforce payment by attachment; if they demand more they forfeit five hundred pounds. Surveyors in ejectment to be appointed according to joint nomination of the parties, and, if they do not agree, one for each party; after appointment, they must take an oath that they will truly and faithfully make the necessary traverses in the land in ejectment, and a just representation thereof in the diagram; they must give ten days notice to each other, fixing time and place, and, for not attending, or refusing to proceed, either of them forfeits five hundred pounds. Four copies of diagram to be made, one for the court, one for the jury, and one each for plaintiff and defendant, the whole by one surveyor, if only one acts, but if two the plaintiff's surveyor shall make one diagram to be signed by both, as also two copies one for jury one for plaintiff, and the defendant's surveyor must make also two copies one for the court and one for the defendant. No surveyor but those who execute the order of court can be admitted to give evidence. Their bills to be paid by the party whom the judgment goes against; but, if defendant in possession five years, plaintiff must pay the bills. Surveyors acting fraudulently to make good damages and be incapacitated. All penalties to be recovered in supreme or assize-courts.—34 *Geo. 3, c. 22*. If it appear upon affidavit that the matter is a mere question of boundary, it shall be tried as such, and deeds may be given in evidence.—35 *Geo. 3, c. 24*.

See SURVEYORS, BOUNDARIES.

EJECTMENT *for* SLAVES, *see* REPLEVIN.

ELECTIONS.

When a dissolution of assembly takes place, there must be forty days between the teste and return of the writs; the provost-marshal must transmit warrants to the custos or senior magistrate of each parish, directed to the constables, who is to deliver it to them to warn freeholders to appear at the election, so that they may have five days' notice of the time and place of elections, each parish must have a separate day, and, if the writ is not executed, no other can issue until the house meet; the poll to begin between eight and nine and may be kept open until six, but no adjournment can be made; for

neglect of duty, the justices forfeit two hundred pounds, the constables twenty pounds. No militia is to be in arms on the day of election, nor any freeholder sent on a party under penalty of one hundred pounds, unless where there is actual danger; those qualified to vote must have a house in actual possession, recorded in secretary's office twelve months before the day of election, of the value of ten pounds per annum; or ten acres of pen-land in cultivation, with a house thereon, yielding ten pounds per annum, and recorded same time; or a plantation of eight acres with buildings, in actual possession, and title recorded, and yielding ten pounds per annum with slaves thereon, liable to be taxed for the term aforesaid; or a rent charge or annual sum of fifty pounds per annum, out of messuages, lands, or tenements, with negroes and stock liable to be taxed for twelve months before the election; and every freehold must have been entered in the clerk of the vestry's book of freeholds for three months, in the name of the freeholder, or of those under whom he claims; those claiming freeholds by devise, descent, or marriage, may vote if the freeholds are properly recorded. If required, the voters must take an oath prescribed by the law, and a rent charge, or annual sum must also be attested; falsely swearing is declared perjury, and if any person administer the oaths, except the provost-marshal, or his deputy, he forfeits five hundred pounds. Rectors of parishes have a good vote; the returning officer must declare the nature of his freehold, if he has one, before he can vote; and take the oaths, if required, which a justice or candidate may administer; the officer must insert in his poll the particular freehold of each voter, and write *jurat* after the name of those sworn, the poll to be held at the usual place of public business in the parish; in contested elections the poll, sworn to, must be transmitted to the secretary's office within one month, there to be recorded and open to all persons, under penalty of five hundred pounds, and imprisonment of one year; the clerk of vestry must enter the freeholds in three days after receiving them, and to grant certificates, fee two shillings and six pence; he must produce the book at the opening of the poll, his fee for which is two pounds seven shillings and six pence, and keep it open at all times for inspection, receiving one shilling and three pence for each inspection, all under penalty of five hundred pounds. Fraudulent conveyances to qualify votes, are deemed free and absolute to the person to whom the conveyance is made, those executing them forfeit five hundred pounds for each vote so created; trust estate or mortgage, to entitle to vote, must have been twelve months in actual possession, the mortgagor in possession may vote, notwithstanding; ne-

person under twenty-one years to vote, if required age may be attested; no member can take his seat or vote until he makes oath that he has an estate in his own or wife's right over and above what is sufficient to pay his debts of the value of three hundred pounds per annum, in lands, slaves, tenements, or hereditaments, or an estate of the value of three thousand pounds, in lands, tenements, slaves, or other hereditaments, over what is sufficient to pay his debts. Freeholders above three degrees removed from negro ancestors may vote, if christians.—21 Geo. 3. c. 15. Elections in churches declared void; they must be held in the places where parochial business is usually transacted. In parishes where there is no public building, the churchwardens may provide a room or booth at an expence not exceeding twenty-five pounds. Candidates must give no public entertainments, if they do, the election is void, and a new writ must issue, and the givers cannot be chosen for the ensuing session; the churchwardens to provide refreshment at an expence not exceeding fifty pounds.—28 Geo. 3. c. 11.

CONTROVERTED ELECTIONS.

A petition to the house being presented, complaining of an undue election, a day and hour shall be appointed for taking it into consideration, and notices given by the speaker to the petitioner and sitting member, or agents, or other parties concerned, with an order to attend; but the time may be altered, giving proper notice. Seven days to elapse before hearing, but the petition must be presented within fourteen days after the meeting of the house. On the day appointed no other business can be entered upon, till the order of the day read, which must not be done unless twenty-five members are present; if so many are not collected, the order to be adjourned from day to day until that number is present, when the petitioners attend at the bar, and the door of the house is locked. The order being read, the names of members are put into two glasses, from which the clerk draws them alternately, till nineteen are drawn, presenting the names to the speaker as they are drawn. Members who have voted at the election, whose return has been petitioned against, or whose return shall not have been brought in fourteen days, are excepted; members who have sat on such a committee in same session may be excused at their own request, unless there should not be a sufficiency of members to serve. Members offering other excuses, to be determined by the house. Each party to nominate one member present, whose name shall not have been drawn as nominee. When the number is complete, the house may proceed with other business; and lists of the nineteen members to be given

to each party, their counsel, or agents, who immediately withdraw, together with their clerk, and alternately strike off names until the number is reduced to eleven, and the clerk, within an hour, must deliver the names of the eleven to the house, who, with the nominees, must be sworn at the table well and truly to try the question. This committee must meet in twenty-four hours. If a member's name, intended for a nominee, be drawn, it may be set aside; and if nomination not made two names of members must be drawn, so that the whole number be thirteen members; the names written and rolled up to be put in the glasses must be previously prepared and put into a box or parcel by the clerk in the presence of the speaker; together with his attestation, and, when the parties withdraw, any member may require the names remaining in the glasses to be drawn and read. The select committee must elect a chairman, not being a nominee, and have power to send for all persons, papers, and records; to be examined, they determine by a majority of voices, which determination is final; and, on being reported to the house by the chairman, must be entered on the journals; the committee cannot adjourn more than twenty-four hours, Sundays and Christmas excepted, at a time, without leave; and, in case the house be sitting when the time adjourned to arrives, the business of the house must be stayed. No member of the committee to be absent without leave, and no business can be proceeded on unless all are present. Chairman to report absentees to the house for punishment. If the whole number are not able to attend, by reason of sickness or death, after three days it dissolves, and a new committee must be appointed. Should the committee form any resolution, it must be submitted to the house to decide upon it; and, if witnesses misbehave, the house must take cognizance thereof. If the house be adjourned, the committee may also adjourn. The committee may order its room to be cleared, all questions to be decided by majority, but no member to vote who has not attended every sitting; oaths in committee to be administered by their clerk; false testimony is declared perjury. If the house should be prorogued while the committee is sitting, it must meet again on the second day of next session, former proceedings remaining in force.—41 Geo. 3, c. 18.

See ASSEMBLY.

EMBEZZLEMENT.

By 32 Geo. 3, c. 27, the British act, 9th and 10th Wm. 3, c. 41, entitled "An act for the better preventing the embezzlement of his majesty's stores of war, and preventing cheats,

frauds, and abuses, in payment of seamen's wages," is declared in force in this island.

EMBLEMENTS.

To ascertain emblements, the judges, on sufficient cause shewn, must issue a writ of enquiry to the provost-marshal, to summon a jury, to be chosen by ballot, twelve out of twenty-four, to enquire and determine the share and proportions for emblements of the crop on the ground, at the death of the person under whom such emblements shall be claimed, and truly appraise the same, in a form prescribed by the law. Fourteen days notice to be given in writing before the writ is executed, and the service proved on oath before the justice attending; the writ being filed, the judges to award amount of valuation, to be paid in such time as they deem reasonable, from which no appeal can be made, and to enforce payment by execution. Security may be given to deliver produce in kind, to be valued by three indifferent persons, one named by the court and one by each of the parties. If the land lie in separate parishes, distinct writs must issue; no person to enter on the lands of another for emblements; emblements are confined to the crop next succeeding the death of the person under whom the emblements are claimed, but, if the person die during crop, the emblements extend to the crop then taking off; if a tenant for life die during crop, the expence of putting in the plant canas intended to be cut next year shall be considered by the jury, and reasonable allowance made to the persons entitled to the emblements; if the tenant for life be off the island when he dies, or if the claimant be absent at the time of the death, so that no writ issues while the crop is on the ground, or during the taking it off, the writ may be issued after it is taken off, and the full benefit thereof, on giving evidence to the jury of the value thereof; the negroes, monies, or goods, returned upon writs of execution or venditioni, for emblements, are not affected by any prior writ or writs against the person in remainder or reversion; magistrates and jurors not attending to be fined by the court, and they are protected from arrests.—25 Geo. 3, c. 1. By 43 Geo. 3, c. 28, jurors not attending without sufficient excuse are to be fined from ten pounds to fifty pounds, at the discretion of the court, sixty years of age is a good excuse. The act 25 Geo. 3, c. 1, declared not intended to confine the right to emblements to the case of the executor or administrator of a tenant for life, or to controul the right of those claiming emblements in respect of any other es-

tate according to the laws of England, but only for the purpose of directing how emblements should be ascertained and set out to the parties entitled thereto; and its regulations to extend to those who may be entitled to emblements according to English law, as well as to the case of any person claiming under a tenant for life.—53 *Geo. 3, c. 26*.

ENROLMENTS, *see* SECRETARY'S OFFICE.

ENTRY and CLEARANCE, *see* PORTS of ENTRY and CLEARANCE.

ERROR, WRITS OF.

If any brought for judgments in supreme court, which are afterwards affirmed, writ discontinued, or plaintiff in error nonsuited, such plaintiff, on a certificate of three of the judges that the writ was frivolous, and brought for delay, is to pay defendant double costs, to be taxed as costs of increase, by the clerk of court of errors, but which the court may reduce, if the same appears unreasonable.—24 *Geo. 2, c. 19, s. 3*; no execution is to be delayed by writs of error, nor *supersedeas* issued, to reverse any judgment on any personal action, until the person in whose name the writ is brought, or his representative (not his attorney at law) with two approved securities, besides the usual security, shall become bound in double the sum adjudged, to prosecute it to effect, and to pay amount of the first judgment, and costs, as well as all extra charges, with damages, if judgment be affirmed, or writ discontinued; in writs brought on any final judgment, after verdict or by default in writs of dower or partition, or in actions of *ejectione firmæ*, no execution is to be stayed; unless similar bonds are entered into by plaintiff or representative; and if, in these last cases, judgment be affirmed, writ discontinued, &c. the court is to issue a writ of enquiry respecting *mesne* profits, and damages by waste, and award execution accordingly; this act not to extend to writs of error brought by executors or administrators, to actions popular, to those brought on penal laws or statutes, nor to indictments, presentments, inquisitions, informations, or appeals.—17 *Geo. 3, c. 16*.

See COURT of ERROR.

ESCHEAT.

When writs of escheat are granted, the provost-marshal must summon a jury to enquire into the value of the estate, of

which the governor, when judgment is recorded, may pass a grant, with condition that it shall be void, if the legal heir appear within three years, or the value, as appraised, paid into the treasury at the end of that time, by the person receiving the patent, if no heir appears; which sum, so paid in, on heirship being proved, is payable to him without limitation of time. Improvements within the three years to be paid for.—33 *Chas. 2, c. 22*. Money arising from escheats to be applied to the support of government.—1 *Geo. 2, c. 1, s. 20*. Land to be escheated, after office found, must be cried out in the last proprietor's name three times for three successive courts before judgment pass, otherwise the patent is void; the jurors on escheats must have a freehold worth ten pounds per annum in the parish, and must value on oath, the grantee to be allowed one third of the value.—6 *Geo. 2, c. 7, s. 5, 6*. Before patents granted to escheat lands of negroes, the receiver-general must take bonds, with two securities, payable in three years for such sums as shall be due the crown, and grant a certificate of same to clerk of patents, to authorise him to issue the patents, any granted otherwise are void.—31 *Geo. 2, c. 18*. Jurors not attending and without excuse to forfeit from ten to fifty pounds.—13 *Geo. 3, c. 23*. All persons obtaining letters of preference for escheatable property shall, within three months, perform the conditions, under penalty of one thousand pounds, the whole penalty for the use of government; and the receiver-general is directed to cause all escheat bonds now unpaid, and all hereafter taken, to be recorded in the secretary's office, which is to be good evidence.—56 *Geo. 2, c. 24*. Sundry escheated property vested in the board of works to be sold, one sixth to be paid the governor and the remainder to the use of the revenue.—58 *Geo. 3, c. 14*, and 3 *Geo. 4, c. 10*.

EXAMINATION AND EVIDENCE.

When an offence is committed, and the offender brought before a justice, his examination must be taken, as well as of the evidence against him, and as much of both committed to writing as is necessary to prove the offence. If there be any cause for delay the justice may, by word of mouth, direct the constable to detain the prisoner in custody until next day, to be brought up for further examination, which the constable himself or any other person has authority to do. The examination of the person accused ought not to be on oath, but, if

he confess the matter, he may sign it. This, sworn to by the justice or clerk, is evidence against the party confessing, but not against others. Other witnesses may be brought forward by warrant from the justice, to be examined on oath, and if they are unable to attend, or die, may be given in evidence in court. If the justices should think, upon examination, that the prisoner is not guilty, yet he must not be discharged, but either committed or bailed.

See SUMMONS.

EXCHANGE, *see* **BILLS of EXCHANGE.**

EXECUTIONS, WRITS OF.

They are not to be taken out, served, or executed, till twenty-eight days after judgment, (except at Port-Royal), no slaves, horses, or utensils belonging to a plantation, or brick or pot work, nor any slaves to be taken in execution where goods shall be offered; goods being taken defendant may sell them, giving the marshal notice of his agreements, that he may receive the proceeds; where no goods offered, and slaves, &c. are levied upon, they are not to be removed for sale till a venditioni exponas has issued; execution may issue against effects although defendant in custody.—33 *Chas. 2, c. 23.* When levies made, notice must be given the defendant or his representative, and, if no proceeding take place on a writ lodged for a year, martial law not to be computed, it shall have no force against any other writ that may be lodged and proceeded upon; if more effects are sold than will pay debts, the surplus must be returned in ten days to the owner; slaves may be sold in families; no more fees to be paid than for the real debt and costs; and each writ must be endorsed with the sum really due, under penalty of one hundred pounds, and, if by an attorney, he is rendered incapable of practice.—8 *Geo. 2, c. 5.* They must be endorsed by the plaintiff, executor, or administrator, or other legal representative, or the attorney at law, who are liable to the same penalties as by 8 *Geo. 2, c. 5,* for endorsing for more than is really due, with intent to distress; the provost-marshal not to receive writs until endorsed, under penalty of one hundred pounds.—24 *Geo. 2, c. 16.* No execution to issue on judgments assigned but to the assignee or his representative, and the clerk of court in recording the assignments, must note this in the margin.—14 *Geo. 3, c. 28, s. 8.* The provost-marshal must enter satisfaction in three months on all writs that have been discharged, under penalty of one hundred pounds for every neglect; he is to receive two

addings and six pence for every writ lodged which is to be in full for entering satisfaction, which he must enter under penalty of five hundred pounds for every neglect.—21 Geo. 3, c. 23. All judgments taken against executors or administrators within the two next courts after pleading the rule, which must be pleaded generally, shall be on the same footing of priority as if the same had been taken together the first court.—29 Geo. 2. c. 13.

See PROCESS, VENDITIONI.

EXECUTORS, ADMINISTRATORS, GUARDIANS.

Executors, on proving wills, must swear to the value of the testator's testamentary estate, take the oath of an executor and give security to the ordinary to return inventory and appraisement into the secretary's office, examinations on oath may be taken by *dedimus*.—10 Ann, c. 18. Executors and administrators having hitherto pleaded the general issue, shall not in any action or proceeding, by *scire facias* or otherwise, be barred by such pleas, nor taken as evidence of the admission of assets, but plaintiffs must produce other evidence to charge them with an actual receipt of assets, or any act of *devastavit*; in actions against them it is deemed a legal defence to plead such bars as the testators or intestates might, if living, have pleaded; and no such plea is to be allowed as an admission of assets in their hands.—16 Geo. 3, c. 15. When the rule of executors is pleaded against some creditors, the general issue cannot be pleaded to others.—19 Geo. 3, c. 13, s. 3. Executors and administrators must not plead the rule to the injury of any creditor, and all judgments taken against them within the two next courts after pleading the rule, which must be pleaded generally, shall be on the same footing of priority as if the same had been taken together the first court.—29 Geo. 3, c. 13. Must make returns on oath annually before the 25th of March into the secretary's office of all rents, profits, &c. and an account of the crop on plantations, under a penalty of one hundred pounds.—13 Geo 2, c. 9. The oath to be administered by any judge of common pleas.—33 Geo. 3, c. 21.

EXTENT, WRITS OF.

In cases where *nulla bona* is returned to a writ, the plaintiff may issue a writ for sale of defendant's lands in a form prescribed by this law; but, before the provost-marshall ex-

ecates it, he must have written instructions from plaintiff, upon what messuages or lands he shall seize, and no works or buildings must be valued except the whole lands are valued with them; fourteen days' notice of writ must be given to defendant, and a jury to be summoned to value; but if the defendant, within six months pay the valuation, with interest, and all expences, he must be reinstated; no rights of other prior incumbrances to be affected, and if there be several executions of concurrent right, the property is to be sold for the common benefit, but not to debar any plaintiff in writs of execution or venditioni exponas, or other writs, for recovery of monies, either before or after issuing such a writ.—24 Geo. 2, c. 19, s. 4, 5, 6. Jurors not attending without sufficient excuse to be fined from ten to fifty pounds.—43 Geo. 3, c. 28.

FALMOUTH.

This town, situated on the south side of Martha-Brae harbour, in the parish of Trelawny, in 1771 comprised three villages, containing together only eighteen houses, according to Mr. Edwards, and the vessels which entered annually at the port did not exceed ten. In 1790 they were increased to thirty capital ships, besides smaller vessels, and the town in consequence so enlarged that a police act was passed in 1795 for its better regulation: this provides, for the prevention of fires, that every housekeeper from twenty pounds to sixty pounds rent, shall have two leathern buckets of two and a half gallons each, with the name at length, and provide one able person to carry them; from sixty to one hundred pounds rent, to have four buckets and two persons; above one hundred pounds to have six buckets, and three persons, under penalty of two pounds for every bucket deficient or out of repair. Justices and vestry to provide three fire-engines, appoint superintendants, and grant salaries, and rewards, and assess taxes accordingly; the first engine at a fire to have ten pounds, the second five pounds; they must appoint firewardens, who must be sworn to the performance of their duty, who forfeit twenty pounds if they refuse to act, they have the sole direction at fires, and may pull down or destroy thatched houses of a dangerous description; those assisting at fires exempted from legal process; firewardens, &c. must immediately repair to fires, and examine engines monthly, and buckets every three months; negroes with buckets to be sent on all inspections of engines to work them, under penalty of three pounds for every one deficient; the firewardens may direct the destruction of houses, and if the fire is thereby stopped, the owner to receive satisfaction, excepting the house where the fire began. Slaves found in the streets without a ticket from nine at night until five in the morning, may be apprehended, lodged in workhouse, and carried before a justice, who may direct them to be committed not exceeding five days; workhouse negroes to repair the streets, remove nuisances, dig wells, &c. No putrid provisions to be exposed to sale under penalty of twenty pounds, and the articles destroyed; slaves not to ride or drive furiously through the streets, or turn horses or cattle loose, under a penalty on owner of forty shillings, half to the informer and half to the poor, to be recovered before any justice, but the owner must be summoned, and no fine inflicted if the slave is delivered up for punishment; free people offending are subjected to a fine not exceeding five pounds, or imprisonment not exceeding a week; liquor shops to be open only from eight till six, under penalty of ten pounds and forfeiture of license, and none but

inhabitants to have licences. Justices and vestry to regulate the assize of bread, and direct how it is to be marked, under penalty on baker of twenty shillings for every ounce or mark deficient, and ten shillings if less than an ounce; one justice and one vestryman to inspect bakehouses monthly and seize bread deficient of weight, to be given to the poor; justices and vestry to fix assize of grass which is forfeited if found deficient; penalties above twenty pounds to be recovered at Cornwall assizes. The justices and vestry made a body corporate for the purposes of this act, to have a seal, to grant certificates to contractors interested in certain lands, to be paid out of monies arising from the act; actions under the act to be brought in twelve months. Justices and vestry empowered to raise two thousand pounds for the purposes of the act, and no proceedings before the justices to be quashed for want of form, but removable by *certiorari*.—35 *Geo. 3, c. 36*. The justices and vestry empowered to purchase land and erect a marine hospital and to lay a tax not exceeding five thousand pounds for that purpose, corporation under preceding act to frame bye-laws, and to lay a duty on shipping for its support, of one shilling per ton on vessels trading north of the tropics, and six pence on every vessel within the tropics.—45 *Geo. 3, c. 32*, which was increased to one shilling and six pence on the former and nine pence on the latter by 53 *Geo. 3, c. 17*. The justices and vestry empowered to alter and improve the town, agreeably to a diagram to be agreed on, and to appoint proper officers; to buy and sell lands, and regulate buildings; to raise money by loan, &c. and made a body corporate for the purposes of this act, the collecting constable to be treasurer; monies received for sales to be applied to carry the act into effect; corporation empowered to raise a tax of five hundred pounds annually on grog-shops, and four hundred pounds for the first three years on negroes; those constructing houses properly to be exempted from taxes for one year; a penalty of twenty shillings is laid on justices and vestrymen not attending, unless three magistrates and six vestrymen do attend; and constables, &c. not attending liable to a penalty of five pounds, penalties under ten pounds recoverable before a justice, above in assize court, but suits to be commenced within twelve months.—49 *Geo. 3, c. 25*. The pilotage of vessels, British or foreign, in or out, clear of the quays and shoals, for a ship six pounds, a brigantine or snow four pounds, a schooner or sloop three pounds five shillings, and vessels cannot be cleared until pilotage paid.—48 *Geo. 3, c. 24*. Made a port of entry and clearance.—51 *Geo. 3, c. 17*.

FALMOUTH WATER COMPANY.

A company established for conveying water from Martha Brae River for the supply of Falmouth, with a capital of twenty thousand pounds, in shares of fifty pounds, not more than ten shares to be subscribed by one person, or copartnership, &c. to be paid by instalments; the subscribers declared a body corporate, under the name of "The Falmouth Water Company," to have a common seal, sue and be sued, make regulations, &c.: shares to be deemed personal estate, and so descend; when four thousand pounds subscribed directors to be elected and chosen annually on the third Monday in January, who must chuse a president; in default of election on the proper day another day may be appointed; directors to appoint officers and clerks and grant them compensation: they are empowered to make aqueducts, &c. to uphold them, cut through and purchase lands, and summon juries where necessary, the aqueducts, &c. vested in corporation for supplying Falmouth with water Householders to be taxed two shillings in the pound on rent, payable half yearly, and a duty of sixpence per ton laid on shipping (ships of war excepted, or vessels forced into harbour by an enemy or sea damage, or weather) and all monies payable to the corporation to be recoverable before a justice. The following to be the rules of the corporation:

First, Each share in the capital of the said corporation shall entitle the holder thereof to one vote; but no person, copartnership, or body politic, shall be entitled to more than four votes; nor shall any person, not being a subject of Great-Britain by birth or by naturalization, be entitled to any vote; And, after the first election, no share shall confer a right to suffrage, which shall not have been holden three months at least, previous to the day of election: Votes may be given by proxy appointed in writing.

Second, None but a stockholder resident in this island, and holding at least two shares, shall be eligible as a director.

Third, The president and directors, or any of them, shall not be entitled to any emolument or compensation for attendance and trouble, unless the same shall be allowed by the stockholders, at a general meeting.

Fourth, Not less than seven directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in case of sickness or necessary absence; in which case, his place may be supplied by any other director whom, by writing under his hand and seal, he shall nominate for that purpose; or, in default of such

nomination, by any other director, to be nominated by the directors convened at the time, and out of their number.

Fifth, There shall be one general meeting of stockholders every year, for purposes relative to the institution; and any number of stockholders, not less than twenty, shall have power, at any time, to call a general meeting for the like purposes, giving at least three weeks notice, by advertisement in some one public newspaper in the county of Cornwall.

Sixth, Every cashier or treasurer, before he enters upon the duties of his office, shall give bond, with a surety or sureties, to the satisfaction of the directors, in a sum not less than ten thousand pounds, of current money of this island, with condition for the due and faithful execution of his office.

Seventh, The stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in that behalf, by the laws and ordinances of the same.

Eighth, Yearly dividends shall be made, of so much of the profits of the corporation as shall appear to the directors advisable; and, once in every year, an exact and particular statement of the accounts of the said corporation shall be laid by the directors before the stockholders, at a general meeting, for their information.

Destroying or injuring aqueducts, &c. declared felony; those only paying duties to use the water, but no person without leave of the corporation to divert the water from its course under penalty of fifty pounds, those who throw dirt into the aqueducts, canals, &c. or otherwise injuring them, to forfeit one hundred pounds, penalties to be recoverable before a justice and applied to the uses of this act, and, for want of effects, offenders may be imprisoned not exceeding twenty-eight days; and penalties inflicted by corporation in its bye-laws to be levied in same manner; in cases of damages for injuring canals, if exceeding twenty pounds, to be recovered before a justice, not being one of the corporation, and a jury to be summoned within ten days; no proceedings to be quashed for want of form, and only removeable by *certiorari*, and, if affirmed, appellant to pay full costs; the act contains other regulations as to actions, replevins, &c. and in case of the dissolution of the corporation the property vested in trustees to be sold and divided.—40 Geo. 3, c. 29. The corporation empowered to enforce payment as well against the person as by distress and sale of goods, &c.—49 Geo. 3, c. 26.

FALMOUTH WHARFAGE.

: The following rates of wharfage fixed for the parishes of

Trelawny, St. James, Westmorland, and Hanover, and all packages of dry goods, provisions, bottled and cask liquors, (rum excepted) not taken away in four months, one half more wharfage to be charged, and for every month exceeding four one fourth more; and for all lumber or dyewoods, coals, bricks, &c. not taken away in four months, one fourth wharfage to be charged for every month exceeding four; but before such charges take effect the wharfinger must give ten days notice:

	£.	s.	d.
Worms for stills, <i>per</i> 112lbs.	0	1	0
Window-glass, cheese, cordage, (including cables), sheets of lead, lead or pewter pipes, in cases or bundles, <i>per</i> 112lbs.	0	0	10
Boxes of soap and candles, bar-iron, sheet-iron, tin, iron-hoops, grapnels, anchors, loose iron-work, mill-cases, mouth pieces and plates, grating bars, dampers, wain-tyre, mudgeons, axles, carriage-guns (including their carriages), shot, standard weights, pig and bar lead, grind stones, paints, (dry and ground in oil), <i>per</i> 112lbs.	0	0	7½
Nails, dry salt fish, and bacon, <i>per</i> 112lbs.	0	0	5

By measure.

Every 1000 feet of boards, plank, scantling, or American lumber	0	12	6
Paving stones, <i>per</i> square yard	0	1	3
Boxes or cases of flint-glass, iron-ware, earthen ware, and all dry goods in bales, trusses, cases, crates, trunks, boxes, &c. <i>per</i> cubic foot	0	9	5
Coals and slacked lime, when loose, <i>per</i> bushel	0	0	2½
Corn and salt, when loose, <i>per</i> bushel	0	0	2½

By tale.

Bricks, tiles, creese and very large slates, <i>per</i> 1000	0	10	0
Shingles, when packed, <i>per</i> 1000, 5s unpacked	0	7	6
Staves and puncheon heading, <i>per</i> 1000	0	12	6
Wood hoops, <i>per</i> 1000, if stored, 10s. not stored	0	5	0
Bottled liquor, in casks, cases, or hampers, <i>per</i> dozen	0	0	3

By the gallon.

Oil and vinegar	0	0	2
Empty butts, <i>per</i> 100 gallons	0	1	0
Butts, hogsheads, puncheons, and barrels, of porter, beer, cyder, &c. in bulk, <i>per</i> ton of 252 gallons	0	5	0
Taches, coppers, and boilers, <i>per</i> 100 gallons	0	1	8
Stills, with heads, <i>per</i> ditto	0	2	6

By the package.

Barrels of pitch, tar, turpentine, and resin; barrels of beef, pork, heads, cheeks, and other Irish or American cured provisions; also boxes or cases of pipes	0	0	10
Barrels of flour, corn, corn-meal, pease, beans, onions, potatoes; barrels of herrings or other cured fish; hampers of onions or potatoes; hogshead, puncheon, and tierce packs, with heading, for each	0	0	7½

	£.	s.	d.
Hogshead, puncheon, and tierce packs or shoofs, without heading, for each	0	0	5
Cases of pickles, hampers of tin, earthen ware, copper-ware, or loaf-sugar, empty puncheons, and sets of truss-hoops, for each	0	0	7½
Every tierce of rice, 2s. 6d. half tierce	0	1	3
Triangles, beaufets, or corner cup-boards, if small, 2s. 6d.; if large	0	3	9
Chests of tea, 1s. 8d.; half-chests, for each	0	0	10
Cases or chests of medicines, also dining tables, if small, 1s. 3d. if large	0	2	6
Coach, chariot, post-chaise, and landau, including the carriage and wheels	1	12	6
Phaeton, ditto	1	0	0
Chaise or kittereen, ditto	0	15	0
Barrels and half-barrels of gunpowder, for each	0	10	0
Kegs of ditto, for each	0	2	6
Hogsheads of corn, pease, and beans	0	2	6
Tierces and puncheons of ditto	0	1	8
Hogsheads of coals, salt, slates, and slacked lime	0	3	4
Tierces of ditto	0	2	1
Puncheons of temper-lime, also, if cased in hogsheads	0	3	9
Hogsheads of dry goods, 3s. 4d.; puncheons of ditto, 2s. 6d.; tierces of ditto, 1s. 8d.; barrels of ditto	0	0	10
Puncheons of loaf-sugar	0	2	6
Pipes of wine, brandy, gin, &c. 5s.; butts	0	7	6
Kegs and jugs of pulse, also boxes of tobacco, each	0	0	5
Firkins of butter, tallow, lard, tongues, &c.	0	0	5
Chairs, in bundles, every two	0	0	7½
Kegs and jars of tripe, for every two	0	0	7½

Loose.

Each anvil and each plough, complete	0	2	6
Each piece of oxenburghs, canvas, or crocus	0	0	5
Each cooper's jointer, and each roll or bundle of leather	0	0	7½
Each smith's bellows, if small, 2s. 6d.; if large	0	3	4
Each dripstone, 1s. 3d.; if with a frame	0	2	6
Hoes, bills, axes, and ox-bows, per dozen	0	0	10
Shovels and spades, per dozen	0	1	3
Iron pots, large and small, per dozen	0	1	8

Colonial Produce.

For each hogshead of sugar	0	3	9
For each tierce of ditto	0	2	6
For each puncheon of rum	0	3	4
For each hogshead of ditto	0	1	8
For each puncheon or tierce of coffee or cocow	0	2	6
For coffee or cocoa in other packages, except bags, per 112lbs.	0	0	5
For each bag of coffee, cocoa, ginger, and pimento	0	0	7½
For each bag of cotton, 2s. 6d.; each pocket of ditto	0	1	3
For every 1000 feet of cedar, mahogany, or other hard wood	0	13	0
For each ton of dye-wood, lignumvitæ, and ebony	0	13	6
For each ton of sand, per dozen.	0	1	3

	£.	s.	d.
Barbaparilla, per 112lbs.	0	1	8
Tortoise-shell, arrow root, tamarinds, and Indigo, per 112lbs.	0	0	10
For hides, wet, per dozen, ls. 8s.; dry, per ditto	9	0	10
For castor-oil, per gallon	0	0	8
And all goods, wares, and merchandise, not herein particularly enumerated and set forth, shall be paid for in proportion to the foregoing rates.			

FASTS.

In consequence of the dreadful earthquake of 1692 the seventh day of June is declared a perpetual Fast day, which, when it falls on Sunday, is to be held the following day, *St. Wm. and Mary*, c. 1; and, in consequence of the storms of 1718 and 1722, every twenty-eighth day of August, also, when falling on a Sunday to be kept the following day.—*9 Geo. 1 c. 1.*

FELONY.

Felony is a capital offence, punishable with loss of life and forfeiture of land or goods, and, if it amount to treason or murder, by corruption of blood, so as to disqualify the felon for inheriting or transmitting of property to posterity. Private persons may arrest felons by or without a warrant, and are bound to assist peace officers in apprehending them.

When any person is convicted of felony, and entitled to pray the benefit of clergy, in lieu of burning in the hand, the court may punish by fine, imprisonment not exceeding one year, and, in cases of larceny only, public whipping, or standing in the pillory.—*42 Geo. 3, c. 18.*

The following is the form of a warrant for felony :

JAMAICA, ss.—*St. Catherine.*

Whereas it appears by the information and complaint, on oath, of A. B. of the parish of _____ gentleman, before me, one of his majesty's justices of the peace for the said parish, that divers goods of him the said _____ have feloniously been stolen, taken, and carried away, from the house of the said A. B. at _____ aforesaid, in the parish aforesaid, and that he hath cause to suspect, and doth suspect, that C. D. of _____ feloniously did steal and take and carry away the same (or otherwise as the case may be),

These are therefore, in his majesty's name, to command you forthwith to apprehend him the said C. D. and bring him before me, or some one or other of his majesty's justices of the peace for the said parish, to answer unto the said information and complaint, and to be further dealt with according to law.
Given under my hand and seal
this day of

Justice's signature.

See BAIL, COMMITMENT, SEARCH WARRANT.

FENCES.

Plantations to have good fences, to be judged of by the oath of three freeholders, to be chosen one by each party, and one by the justice, to assess damages when trespasses are committed.—33 Chas. 2, c. 10, s. 1. Where dividing fences are wanted one neighbour may require another to assist in the work; in case of refusal a magistrate must be applied to, who must summon three neighbouring freeholders, as a jury to ascertain the propriety and nature of the fence, who must make a return to the justice, when the person so requiring, under the order of the justice, may perform the work agreeably to the return of the jury, and, when complete, the jury must value it, and decide on the proportion each party is to pay, according to its convenience; and, in case of refusal, to pay, being declared upon oath, the magistrate may issue a warrant of distress.—25 Geo. 3, c. 11.

FERRY TOLL.

Trustees appointed for building a bridge and laying out a road, seven a quorum, and enabled to purchase land, &c.—Various powers given for building the bridge and laying out the road, &c. and it is declared felony to injure the bridge; empowered to appoint a treasurer out of their own body, who is to call meetings, in St. Jago de la Vega, or elsewhere, as any seven may think proper, a toll-gate to be established, and rates fixed, since altered. Those enabling passengers to elude the toll to forfeit ten pounds, seven days notice of a meeting to be given; sundry duties of the contractor are pointed out by this act, and he is empowered to raise a toll-house, and erect a gate where seven trustees think proper, s. 28; six months imprisonment for damaging the turnpike; majority of seven to decide at meetings; money arising from the toll to be employed in repairing

roads and bridges.—15 *Geo. 3, c. 22*. The commissioners incorporated, to have a common seal, sue and be sued, &c. empowered to borrow money for not less than twelve months, and not exceeding five thousand pounds, to assign or mortgage the toll, as security, commissioners may lend; by this act the commissioners were prohibited from entering into contracts for the toll, and to appoint a collector, with sundry powers to regulate him and the treasurer: they are empowered to raise or lower the toll.—16 *Geo. 3, c. 21*. Several commissioners added and empowered to convey the toll as security for further sums, not exceeding five thousand pounds, to purchase land, and erect a toll-house.—17 *Geo. 3, c. 23*. "Sundry commissioners added.—25 *Geo. 3, c. 21*. An annual sum of one thousand pounds was granted for the road from Spanish-Town to Bogwalk, by 32 *Geo. 3, c. 7*., but this was repealed by 42 *Geo. 3, c. 28, s. 23*. The commissioners empowered to build a stone bridge instead of a wooden one over the Rio Cobre, and sundry powers vested in them for that purpose, several new commissioners added of whom George Cuthbert and Francis Smith, esqrs. only remain.—32 *Geo. 3, c. 30*. Any five or more commissioners empowered to lease the toll for any term not exceeding three years, taking good and sufficient security for the same; no carriages of burthen to have felines less than six inches broad, under penalty of twenty shillings for each wheel, (carts excepted) to be recovered before a justice; those repairing to take gravel, stone, &c. from any uninclosed land near the road; and, if necessary, from inclosures, excepting where there are houses, gardens, provision grounds, &c. Any person obstructing him to forfeit five pounds, commissioners added of whom William Bullock, esq. only remains.—35 *Geo. 3, c. 19*. Trustees empowered to erect an iron bridge which it is felony to destroy; and to borrow ten thousand pounds for five years, at eight per cent.; they are also empowered to purchase negroes instead of hiring them and to employ an overseer.—40 *Geo. 3, c. 18*. Commissioners incorporated under the name of "The Trustees of the Ferry Road." Those formerly appointed confirmed, including the members of the council and assembly, the chief-justice, William Bullock, and the following added, the custos and four senior magistrates of St. Catherine, residing in St. Jago de la Vega, the attorney-general, the solicitor of the crown, the clerk of the crown, the clerk of the assembly, C. N. Pallmer, and W. Falconer. Seven days notice to be given of a meeting, and trustees empowered to borrow five thousand pounds more at eight per cent.—43 *Geo. 3, c. 22*. Several commissioners added, of whom R. W. Harris, esq. is the only survivor, and the trustees empowered

to purchase not exceeding eighty negroes, and land to settle them on, and authorised to borrow ten thousand pounds more.—51 *Geo. 3, c. 16*. Trustees empowered to sell the land and negroes.—57 *Geo. 3, c. 32*.

FINES, FORFEITURES, AND AMERCIAMENTS.

All those arising in courts of judicature, to be paid by the provost-marshal, or deputy, to receiver-general. If not paid over before next supreme court after they are adjudged, he forfeits double the sum; marshals, clerks of court, crown, and peace, &c. are to make returns of certificates of fines, and swear that all estreats are duly entered, and all fines, &c. contained therein, and such as have been paid into court.—8 *Wm. 3, c. 1*. Estreats not taken off to be returned by clerks of crown and peace within a month to provost-marshal, under penalty of twenty pounds.—10 *Ann, c. 4, s. 14*. Applied to support of government.—1 *Geo. 2, c. 1, s. 20*. Clerk of the crown to certify estreats to the attorney-general and receiver-general within twenty days after the supreme court, or forfeit one hundred pounds, and clerks of inferior courts must do the same under penalty of fifty pounds, and their schedules to be attested by the clerk of crown before a judge of the court, and by clerks of the peace before a justice; they are to certify when no fines are imposed, or when they are remitted under penalty of fifty pounds; clerks not to conceal, take off, or discharge, any fine without an order of court, nor falsely certify, under penalty of fifty pounds, as well as being incapacitated.—1 *Geo. 3, c. 13*. Provost-marshal to deliver to attorney and receiver-general the second Wednesday in every supreme court a list of all fines received in which the revenue is interested.—7 *Geo. 4, c. 24*. For which see Appendix, having a duration clause, and expires 1833, but renewed every seven years.

FIRE, *see* ARSON.

FIREWORKS.

White persons firing off any fireworks in any town or parish forfeit ten pounds, or be whipped, and persons of colour to be taken before a magistrate, and whipped, not exceeding thirty-nine lashes.—6 *Geo. 2, c. 13*.

FOREIGN PRODUCE.

No sugar, rum, or molasses, to be imported from foreign islands, under penalty of forfeiture of goods and vessel, and five hundred pounds on the master; officers of ships of war, and others authorised to seize them, the *onus probandi* to lie with the owner or importer.—29 Geo. 2, c. 4.

FORCIBLE ENTRY, *see* CERTIORARI.

FOREIGNERS, *see* ALIENS.

FOREIGN SLAVES.

All slaves who have resided in St. Domingo, or any other French island, to be sent off within six months under penalty of two hundred pounds, except such as have been certificated; sales of such slaves declared void, except for exportation, and excepting slaves sold from one French person to another, not exceeding two, also for exportation; no foreign slaves to be brought here except domestics having certificates, who may reside in Kingston or Port-Royal; on information of their being in the island, three magistrates to enquire, with powers to compel attendance, and punish offenders by an additional penalty of two hundred pounds, besides two hundred pounds for each slave; in executing warrants to apprehend such slaves marshal cannot make any other levies, persons resisting them forfeit two hundred pounds; magistrates may apprehend by warrant and commit until such slaves can be transported, and provost-marshal to execute justice's orders under penalty of five hundred pounds; purchasers to give bond in five hundred pounds, and make oath, that they shall be exported; if going at large they may be apprehended by any person and resold by order of a magistrate; if employed in coasting vessels, the vessels are forfeited, and the slaves sold; foreign seafaring slaves not to go at large on shore; sundry regulations are provided in this act for foreign slaves in Kingston and Port-Royal, where alone they can be employed; foreign slaves who have never been in St. Domingo, or island belonging to France, or a nation at war with England, not affected; the governor, by proclamation, may order foreign slaves to be transported, or issue his warrant to apprehend and confine them. Masters of vessels to declare on oath what slaves they have on board or forfeit seventy pounds. No slave to land without a permit from naval officer under penalty of two hundred pounds, and a like penalty on himself if he grants them, unless oath is made by the owner that the slave is not of a proscribed description.—33 Geo. 3, c. 29.

FOREIGN VESSELS.

Masters of foreign vessels driven in by distress must in twenty-four hours wait upon governor, and state their wants upon oath, and are to be supplied with necessaries, to be paid for with money, or part of cargo; but no more of cargo to be sold than is sufficient, under penalty of forfeiture of vessels, and five hundred pounds on persons aiding, three fourths to informers, and accomplices admitted as evidence, to be recovered by action of debt; all foreign vessels subject to the same charges, visitations, and rates, as English vessels.—12 *Geo. 1, c. 11.* Those belonging to the United States, to be admeasured, and the tonnage ascertained the same as British vessels, the surveyor to be paid twenty shillings, but fee not to be paid twice for same vessel.—4 *Geo. 4, c. 22.*

FORESTALLING, *see* HAWKERS and PEDLARS.

FORFEITED LANDS, *see* QUIT-RENTS.

FORGERY.

Principals and accessaries in forging any deed, will, bond, endorsement, receipt, &c. for money or goods, with intention to defraud, and those who knowingly utter such forgeries, are deemed guilty of felony, and suffer death without benefit of clergy, but not to work corruption of blood, loss of dower, or disinheritance.—15 *Geo. 2, c. 3.* Free people granting false tickets to runaway slaves, for the purpose of concealing them are declared guilty of forgery by the slave law.

FORTS AND FORTIFICATIONS.

They must not be entered by any foreigner without special leave from the governor.—12 *Geo. 1, c. 11.* The captain of Fort Charles, under penalty of five hundred pounds, must keep an account of gunpowder received and expended, rendering an account attested before the governor yearly, or as required to the council and assembly; the sum of one thousand two hundred and fifty pounds appropriated annually to their repair, under warrant from the governor.—1 *Geo. 2, c. 1, s. 7.* Forts at Falmouth in Trelawny, Port-Morant in St. Thomas in the East, and Fort Haldane in St. Mary's, put on the island establishment.—35 *Geo. 3, c. 42.* Fort Brunswick, Annotto-Bay, St. George, same.—38 *Geo. 3, c. 20.* Fort Balcarres at Falmouth, same, and vested in trustees to be removed.—44 *Geo. 3, c. 35.* Fort Nugent (formerly Castle fort) same.

46 *Geo. 3, c. 24.* The former establishment of officers declared void, and compensation given to those on commission, and the governor empowered to direct any artillery men in the fort to take charge of the stores.—47 *Geo. 3, c. 17*; but by 57 *Geo. 3, c. 23*, captains are again appointed to take charge of them, with the following pay, the captain of Fort Augusta ten shillings per day, and of all other forts six shillings and eight pence per day.

See FORTS, COMMISSIONERS of, Appendix.

FRAUDULENT CONVEYANCES.

Any person executing a second deed of sale of lands, &c. or mortgage, without taking notice of prior mortgage, is to be punished according to the laws of England.—4 *Geo. 2, c. 5, s. 8.*

See DEEDS.

FREEHOLDERS.

None to be deemed freeholders who do not possess five acres planted, or a house of the value of ten pounds per annum.—33 *Chas. 2, c. 7, s. 12.*

See ASSEMBLY, ARREST, CHURCHWARDENS, JUSTICES and VESTRYMEN, CLERKS of the VESTRY.

FREE PEOPLE OF COLOUR.

Descendants of Indians declared free.—17 *Geo. 3, c. 28.* Free people of colour four degrees removed from a negro ancestor may vote at elections of members in assembly.—21 *Geo. 3, c. 15, s. 20.* Maroons may have the privileges of free people, if they resign their lands.—32 *Geo. 3, c. 4, s. 26.* When killed in the service, their families shall have annuities, at the discretion of the justices and vestry of their parish, not exceeding fifty pounds, which may extend to seventy pounds if the party himself is disabled and alive, payable by the receiver-general.—36 *Geo. 3, c. 15.* When confined for debt, to be allowed two shillings and six pence per day, and necessities when sick.—48 *Geo. 3, c. 30.* Admitted to give evidence in all suits of law or in equity, or before magistrates or coroners, on being baptised, and producing proof of freedom.

if called for; droppers may be navigated by them.--54 Geo. 3, c. 19, and 4 Geo. 4, c. 16, made competent to give evidence in all cases whatever, whether before or after the passing of the act.--54 Geo. 3, c. 19. Either between themselves or others.--55 Geo. 3, c. 21. On proof that a person who has been admitted to give evidence is a slave, an arrest of judgment may be moved, and the court may grant a new trial, and assess costs against the party producing such evidence.--4 Geo. 4, c. 16.

FREE PORTS, see PORTS of ENTRY and CLEARANCE.

GAME.

No person, by himself, servant, or slave, shall destroy any fish by poison or intoxication; nor make use of any seine or net, with meshes less than one inch and a quarter from knot to knot, excepting cast nets and shrimp nets, which shall not be above two fathoms and a half long, and not more than two such nets shall be joined together: No person to destroy turtles eggs; nor kill any quail, ring-tail, or bald-pate, pigeons, in the months of March, April, May, June, July, and August; persons offending against the act to forfeit twenty pounds for every offence, to be recovered before a justice, one half for the benefit of the poor, the other to the informer; in default of payment the party may be imprisoned, not exceeding twenty days. Slaves offending may be punished by a justice by whipping, not exceeding thirty-nine lashes on the bare back, or imprisonment not exceeding seven days.—8 Geo. 4, c.

GAMING.

Those who win money by false dice, or other deceit, to forfeit treble its amount; and not more than forty shillings won by gaming, or betting, to be recoverable, all securities above that sum void.—33 Chas. 2, c. 5, s. 3. Gaming houses prohibited, under penalty not exceeding two hundred pounds, nor less than ten pounds, or imprisonment from three to six months, to be recovered before a justice; billiards, backgammon, skittles, nine pins, and bowls, excepted; persons frequenting gaming houses to forfeit from ten pounds to one hundred pounds, at discretion of a justice, and proceedings cannot be removed by *certiorari*, or quashed for want of form; licences must be taken out annually for a public billiard table, to be granted by vestry, on recommendation of two freeholders; keeping one without a license a penalty of two hundred pounds. Persons taking out the license must enter into bond for good behaviour of five hundred pounds, with one security, and pay the sum of twenty-five pounds for the use of the poor; time of playing from eight to six; clerks of peace to record licences, bonds, and certificates; their fee two pounds ten shillings; private houses and places where loose and dissolute persons meet, for the purpose of gaming, deemed gaming houses; the justices are empowered to search gaming houses, on information on oath, and to arrest keepers and gamblers; prosecution to be commenced within six months; raffles and lotteries declared il-

legal, and makers of them forfeit one hundred pounds, and adventurers ten pounds each.--39 Geo. 3, c. 7.

See LOTTERIES.

GAOLS.

Justices and vestries of parishes remote from gaols empowered to build them.--14 Geo. 3, c. 6, and 16 Geo. 3, c. 19. Cornwall gaol to be re-built near Savanna-la-Mar.--19 Geo. 3, c. 19. Sufficient gaols to be built at Kingston and Savanna-la-Mar.--32 Geo. 2, c. 3.

GAOL KEEPERS.

To allow three shillings and four pence per day for each white debtor in custody upon affidavit of inability, and supply necessaries when sick, such as the gaol physician may direct.--Their accounts to be attested, and no charge made for prisoners who have escaped; to receive six per cent. for sums advanced. They must not demand any rent, under penalty of fifty pounds; proceedings before justices final.--44 Geo. 3, c. 31. By 48 Geo. 3, c. 30, the allowances to free people of colour confined for debt is made two shillings and six pence per day, and five shillings per week for slaves.

See PROVOST-MARSHAL.

GOLD AND SILVER PLATE.

No articles to be wrought or sold of gold less than twenty-two carats fine, and none of silver less than eleven ounces two penny weights, with the workers name thereon, under pain of forfeiture of treble the value, for first offence, and loss of ears for second.--33 Chas. 2, c. 19. Governor to appoint assayers at pleasure, and workers to enter their names in assay office, and carry wares to be assayed, and, if below standard, they must be broke, if standard they are to be stamped with an alligator's head. Sundry other regulations are contained in this act, which is in force only when an assay master is appointed.

but which it is believed has never been the case.—20 Geo. 2. c. 15. By 28 Geo. 2, c. 8, this act is made perpetual.

GATES.

All gates, crossing public roads, connecting pen and sugar properties, must be erected and kept in repair by the owners of the pens, and the watchman kept by the owners of the sugar estates. In other cases, where there may be disputes, a jury of three neighbouring freeholders must determine.—25 Geo. 3, c. 11, s. 3.

GENERAL ISSUE, *see* EXECUTORS.

GINGER, *see* PRODUCE.

GLYBE LAND, *see* under names of PARISHES.

GOATS, *see* SHEEP.

GOVERNOR.

The governor or commander-in-chief is appointed during the pleasure of the crown, by a commission under the great seal, which is published in the island when he is sworn in. He has the chief civil and military authority. He is chancellor by his office, and presides solely in that high department. He is also the sole ordinary and probate of wills and granting letters of administration. He disposes of all such appointments as the crown has not particularly reserved, such as militia and civil commissions; and in such as are reserved, when vacancies occur, by death or otherwise, he appoints until the king's pleasure is known, and those appointed enjoy all emoluments until that is the case. He also appoints the livings of the clergy. With the advice and consent of the council he summons the general assembly, and, of his own authority adjourns, prorogues, or dissolves them, and his assent is necessary as one of the branches of the legislature, to the passing of laws. On the succession of every governor, an act is passed granting him a salary of four thousand five hundred pounds, two thousand of which is in lieu of the government pen and mountain sold under the act, 36 Geo. 3, c. 32. This is over and above the salary appointed by his majesty's instructions. In addition to this he has one thousand pounds per annum for his establishment of servants, the slaves belonging to the king's-house having been sold by 2 Geo. 4, c. 17. His fees of office are supposed to be considerable.

The following is a table of the governors of this island, with the dates of their succession:

Gov. Colonel D'Oyley	1660
— Lord Windsor	1662
Lieut.-Gov. Sir Charles Lyttleton, Knt.	1662
Pres. Colonel Thomas Lynch	1664
Gov. Sir Thomas Modyford, Knt.	1664
Lieut.-Gov. Sir Thomas Lynch, Knt.	1671
— Sir Henry Morgan, Knt.	1675
Gov. Lord Vaughan	1675
Lieut.-Gov. Sir Henry Morgan, Knt.	1678
Gov. Cha. Earl of Carlisle	1678
Lieut.-Gov. Sir Henry Morgan, Knt.	1680
Gov. Sir Thomas Lynch, Knt.	1682
Lieut.-Gov. Colonel Hender Molesworth	1684
Gov. Christopher Duke of Albemarle	1687
Pres. Sir Francis Watson	1688
Gov. William Earl of Inchiquin	1690
Pres. John White, Esq.	1692
— John Bourden, Esq.	1692
Lieut. Gov. Sir William Beeston, Knt.	1693
Gov. Wm. Selwyn, Esq.	1702
Lieut.-Gov. Peter Beckford, Esq.	1702
— Thomas Handasyd, Esq.	1702
Gov. Lord Arch. Hamilton	1711
— Peter Heywood, Esq.	1716
— Sir Nich. Lawes, Knt.	1718
— Henry Duke of Portland	1722
Pres. John Ayscough, Esq.	1726
Gov. Major-General Robert Hunter	1728
Pres. John Ayscough, Esq.	1734
— John Gregory, Esq.	1735
Henry Cunningham, Esq. was appointed Governor in 1735,	
but President Gregory was succeeded by	
Gov. Edw. Trelawny, Esq.	1738
— Charles Knowles, Esq.	1752
Lieut.-Gov. Henry Moore, Esq.	1756
Gov. George Huldane, Esq.	1758
Lieut.-Gov. Henry Moore, Esq.	1759
Gov. William Henry Lyttleton, Esq.	1762
Lieut.-Gov. Roger Hope Elletson, Esq.	1766
Gov. Sir William Trelawny, Bart.	1767
Lieut.-Gov. Lieut.-Colonel John Dalling	1772
Gov. Sir Basil Keith, Knt.	1773
— Major-General John Dalling	1777
— Major-General Archibald Campbell	1782
Lieut.-Gov. Brigadier-General Alured Clarke	1784
Gov. Thomas Earl of Effingham	1790
Lieut.-Gov. Major-General Adam Williamson	1791
— Alexander Earl of Balcarres	1795
— Lieut.-General George Nugent	1801
— Lieut.-General Sir Eyre Coote, K. B. and K. C.	1806
Gov. William Duke of Manchester	1808
Lieut.-Gov. Lieut.-General Edward Morrison	1811
Gov. William Duke of Manchester	1813
Lieut.-Gov. Major-General Henry Couran	1821
Gov. William Duke of Manchester	1823
Lieut.-Gov. Major-General Sir John Keane, K. C. B.	1827

Lord Palmerston -
" Macdonald -
Major-General -
in 1821 -
do. 1821 -

Sir C. Grey

GOVERNMENT PEN AND MOUNTAIN

Directed to be sold, and an additional salary to be given to the governor of two thousand pounds in lieu thereof.--
 36 Geo. 3, c. 32.

GOVERNOR'S SECRETARY

To be paid by the receiver-general three thousand pounds per annum in lieu of fees, and if he takes fees he forfeits five hundred pounds.--3 Geo. 4, c. 14, s. 1.

GRAVESEND, *see* ST. ELIZABETH.

GREENWICH, *see* ST. ANDREW.

GREGORY'S CHARITY, *see* ST. JAGO DE LA VEGA.

GUARDIANS, *see* EXECUTORS.

GUNPOWDER.

Receiver-general to provide it when wanted for Fort Charles.
 1 Geo. 2, c. 1, s. 6.

See APPENDIX.

HACKNEY COACHES.

One white man to be with each coach.—11 *Ann*, c. 3, s. 8. Their owners to make oath at sessions of the number kept, and the white man's name, ten pounds penalty for each white deficient, s. 9.

HANOVER, PARISH.

This parish was divided from Westmorland in 1723.—10 *Geo*. 1, c. 5, and the vestries of both parishes empowered to employ a surveyor to lay out the lines, and a road from Savaanna-la-Mar to Orange-Bay, as also to rebuild the bridge over Cabaritta Bay.—6 *Geo*. 2, c. 9. The lines fixed by these acts repealed, and the line in a diagram in the secretary's office, beginning at the letter A, and continued to the letter B, and from thence to C, and to continue eastwardly until it intersects the Great-River, so as to include several plantations named, to be the line, and justices and vestries of both parishes to employ surveyors to run it.—29 *Geo*. 3, c. 22. Rusea's free-school established under the will of Martin Rusea, trustees appointed, custos, representatives in assembly, three senior magistrates, rector, and churchwardens, and any person giving six hundred pounds currency, or an annuity of thirty pounds for the use of the school, and six freeholders to be chosen annually by a majority of freeholders on the third Tuesday in February, seven a quorum; the trustees incorporated, to have a common seal, empowered to purchase land, erect houses and employ masters to teach reading, writing, arithmetic, Latin, Greek, mathematics, or other learning; trustees to admit such children as they think proper, giving the preference to those of Hanover, and to make regulations, and the vestry empowered to apply five hundred pounds annually in support of this school.—18 *Geo*. 3, c. 18. The toll and other books having been damaged by a storm, they are to be transcribed, and transcripts declared authentic records, when attested by the clerk of the peace, and his affidavit entered in each book.—21 *Geo*. 3, c. 12. The justices and vestry are enabled to raise eight thousand pounds, to erect a court-house, gaol, workhouse, and poor-house, and incorporated, with a common seal, and powers to sue and be sued, &c.—41 *Geo*. 3, c. 23, and five thousand six hundred pounds more by 43 *Geo*. 3, c. 23. Persons selling goods, and not paying taxes, to be deemed transient traders, and pay a tax of two per cent. on invoices; a collector to be appointed by justices and vestry, and transient traders must attend him within forty-eight hours after their arrival, and make oath as to amount of invoice, and

pay duty, unless it exceeds twenty pounds, when they may give bond with a security for payment in thirty days, unless they have paid a transient tax in another parish, or consigned their goods to an inhabitant paying taxes, which must be sworn to by the consigner and consignee, when the tax is remitted. If they do not attend, they may be summoned to appear and pay, and, in case of neglect, the collector to give notice to the justices, and the party may be assessed in double duties at discretion, by five or more justices, and levy made, or the party imprisoned; monies for benefit of the parish, after deducting collector's commissions.—43 *Geo. 3, c. 31*. The following duties laid for repairing the harbours of Lucea and Green-Island, in this parish, every ship fifteen shillings, brigantine or snow ten shillings, sloop or schooner seven shillings and six pence, trading north of the tropics; those within the tropics half these sums, and a penalty of fifty pounds is laid on the receiver-general or deputy for clearing vessels before paid, provided the harbour-master has lodged with him his certificate of mooring. Governor to appoint a harbour-master, who must be sworn before a justice, and whose salary must be paid by the parish; he must make good damages sustained through ignorance or neglect; all disputes to be settled by commissioners, who are the justices and vestry; no ballast to be thrown overboard under penalty of fifty pounds, to be recovered before two justices; harbour-master to take charge of vessels on fire, and a penalty of five hundred pounds for obstructing him.—48 *Geo. 3, c. 29*. The representatives in assembly, churchwardens, rector, Alexander Campbell, (Copse), John Malcolm, Alexander Campbell, (Lucea), John Bell, John Campbell, (Rockspring), John Edward Payne, William Augustus Dixon, and Alexander Grant, (Lucea), or any five of them, commissioners, who are empowered to dispose of the gaol and work-house at Lucea, and to purchase land to erect a gaol, work-house, and poor-house in another situation, for which purposes they are made a body corporate, to have a seal, sue and be sued, &c. and empowered to fill up vacancies in their number by elections. The justices and vestry empowered to raise a sufficient sum for the purposes of this act, and the corporate body fully empowered to summon juries to enforce sales of lands, &c.—7 *Geo. 4, c. 15*. The wharfage of this parish the same as at Falmouth, which see.

HARBOURS.

No ballast to be thrown overboard in any, under penalty of twenty pounds.—33 *Chas. 2, c. 17, s. 4*. No wreck to be

sunk in them, or ballast thrown into, under penalty of one hundred pounds for each offence, besides removal; but justices in session may permit the sinking of wrecks for careening.—31 Geo. 2, c. 19, s. 7. See under their different names.

HAWKERS AND PEDLARS.

No mulatto, Indian, or negro, to sell in open street or market any goods whatever, without a ticket from his or her owner, under penalty of forfeiture of goods and corporal punishment not exceeding thirty-one lashes; forestalling, or engrossing goods to re-vend, subjects them to corporal punishment not exceeding thirty-nine lashes, to be ordered by a justice.—Slaves not allowed to sell sugar-canes, and those buying produce from them, convicted on oath, to forfeit ten pounds for the first offence, and the same fine and corporal punishment for every other offence, recoverable before a justice.—8 Geo. 2, c. 6. If any white or other person be found hawking goods, any person may take them before a justice, who, associating with another justice, may, on proof, order the goods to be publicly sold for the benefit of the poor, deducting commissions. Traders living in towns may send goods from house to house.—32 Geo. 3, c. 13.

HEALTH OFFICERS.

The health officers appointed by the quarantine act.—41 Geo. 3, c. 16, are entitled to demand as fees for performing the duties imposed on them by that act, for every ship twenty shillings, brig or snow fifteen shillings, sloop or schooner, dreggers excepted, ten shillings. They must board every vessel on arrival before casting anchor and examine the passengers and crew, and may demand from the master a certificate of having performed the duty, under a penalty of ten pounds for refusal, and on refusal of payment of the fees, they may be recovered before two magistrates, with costs of application.—4 Geo. 4, c. 23.

See QUARANTINE.

HIGHWAYS.

All roads for wains and waggons to be at least twenty-four feet wide through open grounds, and sixty feet wide through standing wood, and forty when the wood is only on one side;

When new roads are wanted, or old roads to be altered, applicants to be made to a justice of the parish, who must issue a warrant to summon a jury, but applicants cannot be one; diagrams to be prepared by a surveyor at the expense of the applicant, and persons obstructing him forfeit fifty pounds, jurors to be sworn "that they will view the alterations and examine according to the best of their judgment and information, whether the same is or are necessary, or will be expedient and useful to the public; and if it shall appear to them to be so, that they will, according to the best of their skill and judgment, with the most convenience to the public, and the least damage or prejudice to any particular person, lay out or alter such path or road, and determine concerning the several matters which shall come before them, according to equity and good conscience, and without undue bias, partiality, or favour." And should they deem the road unnecessary they shall certify the same under their hands and seals, to be filed in the clerk of the peace's office; but, if otherwise, they must proceed to lay out the road or alterations, and the justice shall make a return of their determination to the next quarter sessions, with a diagram to be made at the expense of the applicant; if the road passes through lands in cultivation ten days notice must be given to the possessors, and the jury not to be sworn by the justice until such service is proved, under penalty of fifty pounds, and he is to receive evidence on oath on behalf of the owner of the land, if such evidence be tendered, and may summon necessary evidences as to value of land and propriety of the track, and the compensation to be made; the verdict of the jury to be attested by the justice. The following is the form of the writ:

IN THE PARISH OF *JAMAICA*, ss. *in the parish of* *and county*
of *in the said island; the* *day of*
in the year of our lord *by the*
oaths of *(twelve freeholders); Then and there*
summoned and met, in obedience to a warrant issued by the
esquire, one of his majesty's justices of the peace for
the parish of *in the island aforesaid;*
the said jurors being duly sworn by the said
esquire, have, according to the best of their skill and judgment,
and with the most convenience to the public, and least prejudice or damage to any particular person, laid out or altered
as certain highway or road, leading from
in the parish of *to* *in the parish of*

according to the scheme or diagram herunto annexed: As
witness whereof, as well the jurors aforesaid as the said
esquire, have herewith set their hands and seals:
the day and year first above written:

And when compensation is allowed, the form of the verdict
shall be as follows:

JAMAICA, ss.

We, the jurors named in the return herunto annexed, having
been summoned, returned, empanelled, and sworn, according
to law, by _____ esquire, one of his majesty's justices of
the peace, for laying out or altering a certain highway or road
in the annexed return described; and having laid out or alter-
ed the said highway or road accordingly, in manner as in
the said return and diagram thereunto subjoined is particu-
larly described, we, the said jurors, taking into our consideration
the advantages and disadvantages to arise to A. B. and C. D.
in respect to lands belonging to the said A. B. and C. D. laid
out for the said road, and the compensation which ought to be
made to each of them in consequence thereof, find as follows:
That the said A. B. is entitled to the sum of _____, being
at the rate of _____ per acre, for _____ acres of land;
and that the said C. D. is entitled to the sum of _____
being at the rate of _____ per acre, for _____ acres of
land; and that the said A. B. is entitled to the further sum
of _____; and that the said C. D. is entitled to the
further sum of _____, for damages, in removing and
making gates and fences: In witness whereof, we, the said
jurors, have herewith respectively set our hands and seals, this
day of _____ in the year of our
lord

Assisted by _____ one of his majesty's justices
of the peace.

No person to obstruct the justice and jury under penalty of
one hundred pounds. When witnesses or jurors are in other
parishes, the warrant may be endorsed by a justice of such
parishes. Jurors and witnesses not attending to forfeit forty
pounds, and they must be freeholders of some parish where the
road is; and their persons are protected. When the road is
in different parishes the return must be recorded in each, and
each make good its proportion of compensation. Clerk of the
peace must attend under penalty of fifty pounds, and to re-
ceive five pounds besides mileage, at two shillings and six
pence per mile, and twenty-six shillings and eight pence for
each copy of the return, and constables warning jury and

serving notices to have five pounds, all to be paid by the applicants. If they neglect their duty they forfeit twenty pounds, the proceedings cannot be removed by certiorari until the party applying for such a writ enter into security to prosecute, and if the proceedings are confirmed such party shall pay to the defendant treble costs out of purse, if no probable cause is shown for the application; roads so made are to be deemed king's roads, and vestries to make allotments on them, and waywardens appointed, under penalty of one hundred pounds on each justice and vestrymen who refuses for three months. Roads neglected for three years not deemed king's roads.—Justices and vestry to appoint waywardens annually under penalty of fifty pounds, and waywardens must act under a like penalty, or make a sufficient excuse that another may be appointed, but no person can be compelled to serve for two years in succession; clerks of vestry forfeit twenty pounds for not serving notices; and justices fifty pounds for refusing to swear waywardens, constables ten pounds for not serving notices in ten days. Waywardens to act for one year, or until a new appointment is made, and in case of death or removal others to be appointed. Justices and vestry, under penalty of ten pounds for every default, to lay allotments before the first of June in each year, and fix what proprietors are to be taxed for each particular road, in parishes where this custom has obtained, and the clerk of vestry to transmit schedules of such appropriations to the waywardens within thirty days, under penalty of ten pounds. Waywardens on receipt of schedules may contract by the job, and purchase gunpowder and blasting tools, or other necessary utensils, and employ white overseers or others, and at such hires for labourers, cattle, carriages, &c. as the vestry may fix. If proprietors, &c. are desirous of working out their road assessment, and give notice in writing to the waywarden before repairs are commenced, they are entitled to be preferred to a jobber, but under direction of the waywarden; when labourers cannot be hired they may warn proprietors to send negroes in fourteen days, and give certificates of work performed; and if the parties do not perform, a justice must be informed within ten days after the offence, who in three days must summon the defaulter, and if guilty sentence him to a treble charge, to be levied for if not paid under the justice's warrant, exclusive of the road tax; if the waywarden swear falsely he incurs the punishment for perjury; tools which cannot otherwise be procured to be furnished by proprietors in due proportion, for which they have compensation in a discount of road tax; and overseers are made liable to employer for penalties accruing from their refusal or

negligence, but the levy to be made on proprietors' goods.—Waywardens are the sole judges of the fitness of labourers, &c. employed on the road, and the act of a majority to bind the whole. Collecting constables must not pay without certificates attested by the overseer, and certified by a waywarden, or having an affidavit of the waywarden, "that the work has been *bona fide* done and performed, or the articles furnished as stated in the account," which accounts, &c. must be produced to the justices and vestry for settling with the collecting constable, under penalty of one hundred pounds. Attested accounts to be taken in payment of road-tax. A jobber who is a waywarden must only work out his own allotment, and the collecting constable authorised to refuse payment of all above. Accounts to be rendered annually by the first of June. Vestries to enquire into arrears and issue arrearage rolls; the duty of waywardens enforced under pain of trial for wilful neglect of duty by indictment at the quarter sessions. Waywardens attending accounts without examining the work incur a penalty of one hundred pounds. Where roads are injured by trees hanging over them, or overgrown fences, the waywardens or one of them may give notice in writing to proprietors, or possessors, and, if nuisance not removed within fourteen days, he may employ labourers to remove them at the expence of such proprietor, to be levied for by a warrant from a justice, upon oath of the waywarden; when waywardens themselves offend parishioners may inform. No loppings of fences to be thrown on the road, nor blocks of wood dragged upon it, unless on wheels, or mounted on a truck, under penalty of fifty pounds; to be levied by warrant of a magistrate; horses, mules, or cattle drawing such wood, if the owner has no property in the parish to levy on, any white person may seize and carry them before a justice, who may send them to the pound, at the expence of the owner, who he must summon before him, and upon conviction or non-appearance within fourteen days may order such part of such stock to be distrained upon and sold as will pay the penalty and other expenses; when roads after rainy seasons are soft or injured waywardens may give written notice not to work wheel carriages on them for a reasonable time, and persons offending shall forfeit twenty pounds for every day they work during such prohibition, to be recovered before any two justices, but the party may have an appeal within four months to the quarter sessions; in cases of emergency a supplementary road-tax may be laid; waywardens may be indicted and fined for neglect of duty not exceeding one hundred pounds; slaves, cattle, wains, &c. employed on king's roads are not to be levied on under penalty of one hundred

pounds, and such levies restored. Justices or vestrymen of-
fending against this act to forfeit fifty pounds, to be recovered
before two justices; penalties above fifty pounds by action of
debt; warrants to be executed within ten days and constables
indemnified—41 *Geo. 3, c. 14*. On the return of the pro-
ceedings in laying out or altering roads to the quarter sessions,
and their being approved, the same to be recorded, and the
vestry in the next subsequent year, must, under penalty, raise
a tax for the payment of compensation to whom it has been
awarded. Justices and vestry empowered to lay a road-tax on
slaves and stock, but the tax on stock not to exceed one-fourth
of that on slaves; the act contains regulations for enforcing the
collection of the tax. Waywardens are authorised to remove,
cut down, and dig up all enclosures, fences, rails, gates, trees,
and bushes, that straiten or encroach upon the road; to dig
stone, gravel, &c in all places not enclosed or planted as a
garden, or yard of any house or mill or other works, for such
compensation as may be agreed on, or, in case of disagree-
ment, as the nearest justice shall award, and any person forc-
ibly obstructing forfeits fifty pounds, magistrates and clerks of
peace attending proceedings are protected in their persons;
penalties recovered the same as in the foregoing act, and the
fees of the clerks of peace and constables before two magis-
trates.—46 *Geo. 3, c. 17*. Justices and vestry empowered to
contract for repairs of highways for a time not exceeding five
years, for which purpose they are a body corporate, and the
contract binding on their successors; where such contracts are
entered into, a distinct account must be entered in the parish-
book of the sums so allotted, which must be paid over to the
churchwardens, who must see to the performance of such con-
tracts, and complain to the vestry of improper conduct, suspend
the contracts, and direct the waywardens to repair.—51 *Geo.*
3, c. 3.

HOLIDAYS IN PUBLIC OFFICES.

The following are the holidays kept at the different public
offices:

New Year's Day (and the day after)	Jan. 1
Twelfth Day	6
King George IV. accession	29
King Charles I. Mart.	30
King George IV. proclaimed	31
Shrove-Tuesday	.
Ash-Wednesday	.

St. David	March 1
St. Patrick	17
Good Friday	
Easter Monday	
Easter Tuesday	
St. George	April 23
King George IV. birth-day kept	26
Lady Day	25
Holy Thursday	
Whit-Monday	
Whit-Tuesday	
King Charles II. restored	May 29
Great Earthquake, 1692	June 7
Midsummer	24
King George IV. crowned	July 19
St. Bartholomew	Aug. 24
Great Storm	28
St. Matthew	Sept. 21
Michaelmas Day	20
Gunpowder Plot	Nov. 5
St. Andrew	30
Christmas (and two days after)	Dec. 25

HORSES AND HORSE STEALING.

No person to ride as a horse catcher, without giving security, and having leave, under penalty of twenty pounds. If he sells or barter any horse or cattle, without being his property, he forfeits fifty pounds, and those who deal with him twenty pounds. Putting false marks or defacing old ones is declared felony.—33 *Chas. 2*, c. 10. They are not to be taken, when belonging to a plantation, in execution, when goods can be got.—33 *Chas. 2*, c. 23. Persons stealing any horse, mare, or gelding, foal, colt, filly, ass, or mule, are guilty of felony, and shall suffer death without benefit of clergy; defacing the marks declared felony, punishable, for the first offence, by six months imprisonment, twelve for the second, and for the third such punishment as the court thinks proper.—47 *Geo. 3*, c. 22.

HORSES and RACES, see APPENDIX.

HOUSE RENT, see RENT.

HOSPITAL, see KINGSTON, FALMOUTH, &c.

INDEMNIFICATION.

Judges indemnified for having proceeded on laws deemed precarious.—33 *Chas.* 2, c. 6, s. 2. And for those who proceeded against offenders on the seas, c. 8, s. 2. The Earl of Effingham for several proclamations laying on embargoes, &c.—31 *Geo.* 3, c. 11. The rector of St. Catherine for burying Mrs. Williamson in the church.—33 *Geo.* 3, c. 6. The commander-in-chief for arming the maroons during an alarm of invasion.—45 *Geo.* 3, c. 31.

INDENTED SERVANTS, *see* MASTERS and SERVANTS.

INDIANS.

All Indians brought into the island since December 28, 1741, and their descendants declared to be free, and a penalty of five hundred pounds is laid on purchasers or sellers of them, and persons kidnapping or stealing them with intent to sell them are declared guilty of felony.—17 *Geo.* 3, c. 28.

INDICTMENT.

An indictment is a written accusation to be laid before the grand jury, and the party prosecuting is a good witness to prove it. The grand jury cannot be fewer than twelve nor more than twenty-three, who are previously instructed on the subject of their inquiries in a charge from the bench. When they have heard the evidence if they think it a groundless accusation, they write on the back of the bill "Not found," and then the party is discharged; but a fresh bill may be afterwards preferred to a subsequent grand jury. If they are satisfied of the truth of the accusation they endorse upon it "A true Bill," and the party stands indicted. The indictment is then said to be found, but to find a bill at least twelve of the jury must concur; so that no person can be convicted of a capital charge without the unanimous voice of twenty-four of his equals, twelve at least of the grand jury, and twelve of the petit jury. There is another mode of carrying on a criminal process without the intervention of a grand jury; namely, by information in the name of the king, or jointly at the suit of the king and that of a subject. The latter is usually brought upon penal statutes, and is a sort of *qui tam* action, and carried on only by a criminal instead of a civil process. Informations in the name of the king are filed *ex officio* by the at-

turney-general, and are directed against such offenders as tend to disturb or annoy the government, and any delay in punishing which might be dangerous.

See COURTS of QUARTER SESSIONS.

See CRIMINAL JUSTICE.

INFORMATIONS.

Informations to be filed in the supreme court, to be endorsed with the name of the county where the cause arises, and also inserted on the margin, and the process shall be held in the said court till issue joined, when such issue shall be tried in the county court where the cause hath arisen.—31 Geo. 2, c. 4, s. 12.

See INDICTMENT.

INHERITANCE.

Not to be passed away, unless deeds for that purpose are acknowledged and enrolled within three months after their date.—33 Chas. 2, c. 12. Slaves descend as such, after payment of debts and legacies.—8 Wm. 3, c. 2. Five years uninterrupted possession of lands, &c. or slaves, render them estate of inheritance unless in cases of disability.—10 Wm. 3, c. 1.

INLAND BILLS.

Holders of inland bills may allow time to drawees not exceeding twenty days, without exonerating other parties to the bill, and the same indulgence may be extended to grantors of promissory notes, without releasing other parties from responsibility; not necessary to protest inland bills.—48 Geo. 3, c. 29.

See BONDS.

INSANITY.

Insane persons' rights to real property not defeated by five years possession, if actions brought in three years after becoming *compos mentis*.—10 Wm. 3, c. 1. Their rights not lost by seven years possession, if actions brought in five years after capable.—10 Ann, c. 12. And if actions brought in three

years.—4 Geo. 2, c. 4. They cannot give good titles through valuable considerations paid them.—10 Ann. c. 12. They may contest reputed boundaries if suits brought within five years of capability.—14 Geo. 3, c. 5, and bring actions to recover slaves that have been sold under *renditioni expensis*, in five years after capable.—23 Geo. 3, c. 13.

INSOLVENT DEBTORS, *see Appendix.*

INTEREST

Was fixed at ten per cent. by 33 Chas. 2, c. 19, reduced to eight by 12 Geo. 2, c. 3, and again to six by 24 Geo. 2, c. 19, allowed on papers bearing it, after judgment obtained, 14 Geo. 3, c. 28, s. 13, five per cent. allowed to British creditors.—29 Geo. 3, c. 13. Allowed on all judgments.—51 Geo. 3, c. 5.

See BONDS, JUDGMENTS, NOTES.

INVEIGLING.

Stealing or sending slaves off the island, or defacing their marks, declared felony, and death without benefit of clergy, as also stealing slaves, with intent to send them off, but not to work corruption of blood. Those who hide, inveigle, entice, or knowingly harbour or employ, the slaves of another forfeit one hundred pounds for every one so inveigled; unless the slaves came into possession in a regular manner, by inheritance, devise, executorship, &c. those who, under pretence of title, detain the same from parties who have been six months in possession, forfeit one hundred pounds; those detaining them after leases have expired, or time agreed upon, fourteen days after demanded, shall suffer as if they knowingly harboured them, unless they are runaway. On complaint to any judge or justice, on oath, he may issue his warrant to apprehend offenders, to be committed to prison, or bailed, until trial, which must take place in ten days; a jury must be summoned in the usual way, in the parish or precinct, from which no person is exempt; and the justice may also issue a warrant to apprehend the slaves, to be produced at the trial, witnesses and jurors to be fined for non-attendance; evidences in custody to be produced by the provost marshal; on sufficient cause shewn, the justices may adjourn the trial from time to time, not exceeding ten days each time. Any two justices may proceed to trial, and any justice applied to, must, under penalty of fifty pounds, call in an associate, who, under a like penalty, must assist, but the complaint must be made within twelve calendar

months after the offence; clerk of peace to attend the trial, and draw the charge, and to record proceedings. The justices to enquire on the oaths of twelve freeholders, and the owner to be good evidence although prosecutor; the inquest being returned by the jury, the justices to pronounce sentence and order the delivery of the slaves. The inquest to bar all other charges. Proceedings cannot be removed until after judgment, nor be set aside for want of form; clerk to have one pound per day, and five pounds for recording proceedings, and must act under a penalty of one hundred pounds. In case of acquittal expences to be paid by the defendant. Fines imposed, except for neglect, to be recovered by warrant under the hands and seals of the sitting judges or justices, and if no distress be found, the parties to be imprisoned; fines on justices to be recovered in supreme court, half to the government half to the informer; if the party aggrieved is not examined as a witness, half the penalties go to him and half to government, if he gives evidence the whole goes to government. The names of the jury must be put in a box and drawn by ballot by the clerk of peace, in open court. Martial law not to interrupt proceedings, and all parties protected in their persons; those maliciously prosecuted have redress in the grand court; should replevin be brought for the slaves they must be advertised four weeks previous to trial; mortgagees, or tenants for slaves for life, dower, &c. not to send them off the island, under penalty of one hundred pounds for each; those hiring houses or habitations to slaves, or encouraging them to build, in towns, savannas, or waste grounds, &c. to carry on trade, or hiring themselves out for that purpose, without a license from the owner, or those in charge of them, to forfeit twenty pounds, and justices must order such houses to be pulled down, under penalty of fifty pounds; if the provost-marshal permit any one committed under this act to escape, he forfeits one hundred pounds.—36 Geo. 3, c. 10.

JAMAICA SPA.

A spring of chalybeate water having been discovered in the parish of St. Andrew, three thousand pounds granted to purchase it, and two hundred and fifty acres adjoining, directors consisting of the governor, council, and assembly, three a quorum, incorporated under the name of the "Directors of the Jamaica Spa," with powers to sell part of the land, in ten acre lots, (reserving twenty acres) which, if not cultivated, becomes forfeited, the monies to be applied to the erection of buildings, mending of roads, &c.—16 Geo. 3, c. 20.

JEWS

May be employed in the public offices by 7 Geo. 4, c. 14. All persons of the Jewish persuasion, born within his majesty's allegiance, are admitted to enjoy all the rights, privileges, immunities, and advantages, whatsoever, to which his majesty's other natural born subjects are entitled within this island.—7 Geo. 4, c. 27. This act has however a suspending clause, and his majesty's pleasure is not yet known.

JUDGES

Empowered to establish such rules and regulations as may be necessary for good order.—10 Ann, c. 4, s. 38. Those of supreme and assize-courts may, upon oath of sickness, or intended departure, issue a commission *de bene esse*, to take the examination of witnesses, which shall be good evidence in court.—33 Geo. 3, c. 23, s. 4.

See ASSISTANT JUDGES, CHIEF-JUSTICE.

JUDGMENTS.

Some obtained under doubtful laws confirmed.—33 Chas. 2, c. 6, and those against offenders on the seas, c. 8. Not to be reversed on account of error in form; nor allowed to go by default, unless proved that the party was summoned fourteen days before the court, c. 23, to be valid, unless an arrest or new trial be granted within one day, and those taken in the assizes shall be deemed to be taken in the preceding grand court, and have right of priority accordingly.—31 Geo. 2, c. . The clerk of the court, within twenty days before the court, to deliver to the attorney-general and receiver-general a list of

judgments, of which the whole or any part belongs to the crown.—11 Geo. 3, c. 13, s. 6. Judgment creditors must enter satisfaction upon receiving payment, within three months, if required, under penalty of one hundred pounds, if plaintiff deceased, the court may order satisfaction to be entered, on proof of payment. Clerks fee for entering two shillings and six pence, under penalty of one hundred pounds for extortion.—11 Geo. 3, c. 20. By 14 Geo. 3, c. 28, s. 6, the following form of assignment is prescribed:

Be it remembered, that I, A. B. have this day of
in the year of our lord assigned unto
C. D. his heirs, executors, and administrators, a judgment
obtained in grand court, for the sum of
by against on his bond, note,
bill of exchange (or as the same may be), and that there is
now due thereon the sum of principal money, the
sum of for interest, and costs of suit, and I
have received the sum of in full consideration
thereof.

Such assignment effectual, but must be set forth in declarations, and re-assignments may be made, s. 7. Clerk of the court to keep separate books for assignments, fees one shilling and ten pence half penny, and a note made on the margin of the judgment of the name of the assignee. By s. 14, 15, the provost-marshal after every grand court must return a list of writs satisfied, within ten days, under penalty of five hundred pounds for every return, to the clerk of the court, who is to enter satisfaction on judgments, and charge his fees as part of the costs, under penalty of one hundred pounds to the party for every neglect; plaintiffs are to give authority for entering satisfaction, when paid, within six months, under penalty of one hundred pounds. By s. 16, the clerk of court, under penalty of five hundred pounds, must certify to the provost-marshal all satisfactions entered, and the provost-marshal, under a penalty of one hundred pounds, shall enter such satisfactions in his books, on being paid two shillings and six pence for each satisfaction; he must keep fore and back alphabets of all judgments under penalty of five hundred pounds.—14 Geo. 3, c. 25. Those obtained on British debts to bear interest of five per cent. and placed on the same footing as to priority as for debts in this island.—29 Geo. 3, c. 13. Those obtained in the precinct of St. Catherine not exceeding twenty pounds, when levies are made, the proceeds not to go to priority, that precinct having no court of common pleas.—31 Geo. 3, c. 24. Judgments of supreme or assize-courts to bind slaves (as did for-

entry executions) from the first day of court where judgment obtained, if a writ of execution be lodged for the first supreme court after.—38 Geo. 3, c. 23. In cases of judgment obtained in the courts of assize the supreme court hath cognizance of all complaints of fraud, surprise, or irregularity, as in cases of judgment in the supreme court itself; but the powers of justices of assize are not hereby abridged.—44 Geo. 3, c. 22. Interest at the rate of six per cent. allowed on all judgments from the first day of the court in which they are obtained.—51 Geo. 3, c. 5. It is the practise of the court, that if a writ is not lodged for ten years on any judgment, it cannot again issue without an order of the court granted on affidavit of the circumstances.

See LIMITATION.

JURORS.

Clerks of courts to issue writs of *venire facias*, directed to the provost-marshal to summon them, s. 20, and by s. 27, if the juror appears the court may summon bystanders to make up a jury.—31 Geo. 2, c. 4. In giving verdicts on bonds partly paid, they are to set forth sums and dates of payments.—14 Geo. 3, c. 28. Special juries must be taken from the general panel, in the usual manner, and should the cause not come on in one court, the jury must be struck in the same manner for the next court, and so *toties quoties*, until the issue be tried, but no special jury to be granted without cause shewn.—23 Geo. 3, c. 1. The duty to be distributed equally among persons liable by the provost-marshal under penalty of fifty pounds, and the panel of each county to consist of eighty jurors.—38 Geo. 3, c. 23. The attendance of those summoned on writs of extent, emblement, forcible entry, partition, or escheat enforced under a penalty of from ten to fifty pounds, without sufficient excuse on affidavit. Persons above sixty excused.—43 Geo. 3, c. 28.

See PROCESS in Appendix.

JUSTICES, CHURCHWARDENS, AND VESTRYMEN.

Justices of the peace may decide debts and differences not exceeding forty shillings.—33 Chas. 2, c. 6; and issue warrants of attachment, c. 23, s. 9; the rector of a parish declared one of the vestry.—35 Chas. 2, c. 7. Justices to hire constables

in the different parishes (except Port-Royal, St. Catherine, and Kingston), and appoint salaries.--18 *Geo. 3, c. 17.* The authority of justices, either in quarter sessions, or otherwise, not abridged by the establishment of assize-courts.--31 *Geo. 2, c. 4, s. 4.* Act for preventing breaches of trust by attornies to be read quarterly in vestries and quarter sessions.--13 *Geo. 2, c. 9.* Fees of justices for every warrant one shilling and three pence, for every examination, affidavit, mittimus, and release, each one shilling and three pence, for every recognizance two shillings and six pence.--10 *Ann, c. 4, s. 16.* Two justices, ten days before the twenty-eighth of March, June, September, and December, must issue warrants to any constable to summon quarterly vestries to meet on some day within twenty days of quarter day to transact parochial business; each absentee to forfeit five pounds, unless two justices and six vestrymen be present, to be levied by warrant of any justice of the peace; if two magistrates appear no penalty on magistrates, if six vestrymen appear, no penalty on vestrymen, *s. 23*; no vestry dinners allowed except quarterly, at an expence not exceeding ten pounds, but none in St. Catherine and Kingston, *s. 24.* Justices, vestrymen, and clerk of vestry protected in their persons on vestry days; neglecting to do their duty a penalty of fifty pounds on each; this act to be publicly read March quarter.--39 *Geo. 3, c. 22.* The custos or senior magistrate must every year issue warrants to constables to summon freeholders duly qualified for chusing members in assembly, to meet at the usual place of vestry meetings, on the days herein mentioned, where they must chuse by the poll ten vestrymen and two churchwardens, who must be duly qualified freeholders: St. Catherine, St. Mary, and Trelawny, on Monday; St. Andrew, St. Thomas in the Vale, St. Ann, and St. James, on Tuesday; St. David, St. John, and St. Elizabeth, on Wednesday; Portland, Clarendon, and Hanover, on Friday; and St. George, Vere, and Port-Royal, on Saturday, all in the second week of January, (By 55 *Geo. 3, c. 23.* Manchester is made a parish and its vestry to be elected the first Monday in March). If a sufficient number of freeholders do not attend the justices may appoint some subsequent day, and so, *toties quoties*, until an election takes place; six votes sufficient for an election; no freeholder excused from serving, under penalty of twenty-five pounds. In cases of vacancy, by death or removal, the justices to proceed in same manner to fill it up within thirty days; if qualification of a vote is disputed, the custos or senior magistrate to enquire and decide, with an appeal to the vestry; in case of a double return, a new election between the two candidates must take place; those who re-

use or neglect to attend if no vestry is made forfeit five pounds, and, if attending, any member secede, so as to interrupt the proceedings, he forfeits fifty pounds; all penalties recoverable before two justices, and persons voting at elections protected from civil process.—56 Geo. 3, c. 27.

See APPENDIX.

KINGSTON.

In consequence of the destruction of Port-Royal, by the earthquake of 1692, many people repaired to a part of the parish of St. Andrew, now Kingston; its boundaries were fixed in the following year, under that name, southerly by the harbour, westerly and northerly by Sir William Beeston's land, and to continue from a calabash, his north easterly corner tree, by a straight line, to the foot of the Long Mountain, eighty chains distant from the sea, and thence towards three rivers the same distance from the sea, until it meets with the bounds of the parish of Port-Royal, and also all that part of the harbour lying north easterly and easterly, part of the middle ground, and to be for ever taken and esteemed an entire and distinct parish, with all the powers of any other parish; and to send three representatives into assembly; courts of quarter sessions and common pleas are also established, and the receiver-general, secretary and naval officer, to keep offices in it.—1 *Wm. and Mary*, c. 3. Children of its inhabitants entitled to the benefits of St. Andrew's free-school.—7 *Wm.* 3, c. 1. A nightly watch established, and justices and vestry empowered to lay a tax to support it, not exceeding five hundred pounds per annum; constables to take charge of the watch under penalty of ten pounds. No coopers to make casks but in a square built of brick, eight feet high, under penalty of ten pounds for every week; two hundred pounds to be raised for digging three wells; all negro huts in front of the town to be pulled down, and those building them to forfeit ten pounds.—5 *Geo.* 2, c. 2. Justices and vestry empowered to lay a tax for mending streets and roads.—20 *Geo.* 2, s. 10, s. 7. Commissioners appointed for building a guard-house and barrack, one thousand pounds granted towards this, and the parish to furnish remainder.—22 *Geo.* 2, c. 19. Declared the county town of Surrey:—31 *Geo.* 2, c. 4. Justices and vestry authorised to appoint places for markets and regulate them; the churchwardens made a body corporate for recovering parochial and transient taxes; justices and vestry empowered to rent stalls, employ scavengers, remove obstructions and nuisances from streets.—10 *Geo.* 3, c. 11, and to remove negro huts.—11 *Geo.* 3, c. 3. Empowered to sell the old court-house, and build a new one and to raise a tax for the purpose.—17 *Geo.* 3, c. 11. Retailers of liquors not to dispose of any before six in the morning, nor after six in the evening, under penalty of twenty pounds. Justices and vestry to affix assize of bread and marks, under penalty on bakers of twenty shillings for every ounce deficient, and ten shillings for less than an ounce; one justice and one vestryman may examine bake-houses and weights; they are

empowered to lay a tax on transient traders, for support of night watch, as also a sum not exceeding two per cent for parochial purposes; constables to be paid for taking charge of night watch, and forfeit five pounds if they neglect; justices and vestry to regulate the watch; those exposing putrid provisions for sale to forfeit twenty pounds, and the provisions to be burnt by order of a justice.—22 Geo. 3, c. 18. Certain charitable donations having been bequeathed for the use of the poor, by Joshua Bradshaw, and Peter Davis, of houses and lands, now vested in the justices and vestry, who are made a corporate body for the purpose, and authorised to repair, to rent out, recover debts, and apply the proceeds for the benefit of the parish.—27 Geo. 3, c. 5. The boundaries fixed by 5 Wm. and Mary c. 3, repealed, and fixed as described and laid down within a yellow line in a diagram recorded in secretary's office, and compensation made to the parish of St. Andrew for certain lands included in the diagram belonging to that parish, by a parochial tax.—59 Geo. 3, c. 34. The workhouse negroes to be employed in cleaning the streets, &c. Persons exposing putrid provisions for sale forfeit ten pounds, and the provisions destroyed; if slaves ride horses or drive carriages furiously through the streets, or turn horse-kind or cattle carelessly loose in them, the owner forfeits forty shillings, unless they are delivered up to be punished, if complaint made within a week; shooting within a mile of or in the town to forfeit the weapon. No person to keep a dray without a license, under penalty of ten pounds; two justices may grant licences on payment of forty shillings each for the use of parish; they are to be numbered, and rates of drayage fixed by the justices and vestry (now the common council),* table of rates to be hung up in peace-office,

* The following are the rates of drayage as fixed by an ordinance of common council, dated 7th April, 1803:

First division—From the sea to Tower-street, inclusive.
 Second division—From Tower to Queen-street, inclusive.
 Third division—From Queen to North-street, inclusive.
 Pipes of wine, hogheads of sugar, earthen coals, or salt: First division, 2s. 6d. Second division, 3s. 9d. Third division, 5s.
 Tierces sugar, puncheons rum, hogheads corn or oats, hogheads fish, tierces coffee, tierces dry goods or tin ware, tierces or crates of earthen ware: First division, 1s. 3d. Second ditto, 1s. 8d. Third ditto, 2s. 6d.
 Every two hogheads of porter, every two quarter-casks or every two hogheads of wine, or tierces of bottled liquor: First division, 1s. 3d. Second ditto, 1s. 8d. Third ditto, 2s. 6d.
 Barrels wet provisions and sugar; four barrels to be considered a load; barrels of flour, corn, or meal, and pease, five to be considered a load: First division, 1s. 3d. Second ditto, 1s. 8d. Third ditto, 2s. 6d.

And owners of drays to have a copy; those demanding more or refusing employment to forfeit twenty shillings, for every offence, recoverable before two justices; licences to be for one year only, for which the clerk of peace's fee is twenty-five shillings for making out and recording; drayage to be recovered before a justice of the peace. Justices empowered to sell goods found with hawkers and pedlars, and constables to forfeit fifty shillings, if they do not apprehend them; hogs in the streets to be destroyed. If hawkers are apprehended, for contravening the act 32 Geo. 3, c. 15 (see HAWKERS,) on due proof on oath, all the goods in their possession are to be publicly sold; constables not apprehending them on information to forfeit fifty shillings for every offence, by warrant of a justice; hogs infesting the streets to be destroyed, under warrant of two or more justices; all forfeitures not exceeding ten pounds to be recovered before two justices, above ten pounds, by action of debt, one moiety to informer, the other to government; actions to be commenced in six months.—35 Geo. 3, c. 18. Commissioners appointed to take up lands in St. Andrew for making an aqueduct, with sundry powers.—36 Geo. 3, c. 24. Commissioners empowered to treat for lands and buildings to eastward, for extension of Harbour-street.—39 Geo. 3, c. 25. Those using nets or seines for catching fish in the harbour, or

Six barrels of bread, six barrels or hampets of potatoes, to be considered a load: First division, 1s. 3d.—Second ditto, 1s. 6d.—Third ditto, 2s. 6d.

Every ten firkins of butter, every ten boxes of candles or soap: First division, 1s. 3d.—Second ditto, 1s. 6d.—Third ditto, 2s. 6d.

Every four hogheads of building lime, in bags or otherwise: First division, 1s. 3d.—Second ditto, 1s. 6d.—Third ditto, 2s. 6d.

Lumber, per 1000 feet: First division, 6s. 8d.—Second ditto, 8s. 4d.—Third ditto, 12s. 6d.

Ranging timber and mahogany of large dimensions to pay one-fourth more.

Shingles, per 1000, loose: First division, 2s. 6d.—Second ditto, 3s. 9d.—Third ditto, 5s.

No dray shall be obliged to carry less than a full load, unless paid for as such; and all other articles not enumerated to be in proportion to the above rates.

For taking and transporting goods from one part of any division to another part of the same, to be paid for at the rate stated in the first division.

For taking and transporting goods from any part of the second division to any part of the third division, to be paid for at the rate of the second division.

All goods carried to the eastward of Hanover-street, to be paid for at the rate of the second division.

By a late regulation of the common council, the stands for drays are in Orange, Princess, and Church-streets, from Port-Royal-street downwards.

vicinity, may have meshes in the bunt or centre of three quarters of an inch from knot to knot, provided the bunt or centre doth not exceed in length sixteen fathoms notwithstanding act of 10 Ann, c. 16; now repealed, (see GAME,) but no false bottom to be used, nor shall any seine or net, though of legal size, be put behind another in order to catch small fry; under penalty of forfeiture of net or seine; and fine from five to twenty pounds, and if a slave punishment not exceeding thirty-nine lashes, or confinement to labour not exceeding three months.—44 Geo. 3, c. 19.

KINGSTON HOSPITAL.

Commissioners appointed for establishing a public hospital for transient poor and sick seamen throughout the island.—17 Geo. 3, c. 31. For the support of this hospital a tax laid on shipping by 46 Geo. 3, c. 28, but the rates altered by 60 Geo. 3, c. 13, as follow: Vessels trading north of tropic, every ship two pounds thirteen shillings and four pence; every brigantine snow or bilander two pounds, sloop or schooner one pound six shillings and eight pence, those trading between the tropics one half; droppers and coasting vessels to pay thirteen shillings and four pence every three months. Vessels not to be cleared until duties paid.—46 Geo. 3, c. 28.

KINGSTON FIRES AND FIREWARDENS.

Housekeepers of forty to eighty pounds rent to have two leather buckets two and a half gallons each, with name upon them; eighty to one hundred and twenty pounds four; above one hundred and twenty pounds six, with people to carry them, under penalty of forty shillings for each bucket deficient; eight fire-engines to be kept, under penalty of ten pounds on every justice and vestryman; a captain to be appointed to each engine, and rewards of from five to ten pounds given for engines that arrive first at fires; a tax to be laid for these purposes and for sinking wells and fixing pumps; ten firewardens to be appointed annually, two of whom justices, and sworn in, under penalty of twenty pounds, in case of neglect, after ten days' notice; who have the absolute direction at fires and to have badges of distinction, and repair immediately to them; all persons assisting protected; engines to be examined monthly, buckets every three months; firewardens may order houses to be pulled down, and if fires thereby stopped, the owner to be paid; but if the house where the fire commences is blown up to satisfaction given.—22 Geo. 3, c. 19. The firewardens may enter houses with a magistrate and examine fire places, and direct such alterations or pulling down of chimnies, &c. as they deem proper; and no fire shall be made in such places

until the alterations are made, under penalty of fifty pounds, the expence of alteration to be paid by the owners, and tenants may deduct it from their rent. No fire places to be made without chimnies in yards under penalty of ten pounds. Chimnies to be swept twice a month; and those having toul chimnies to forfeit two pounds, and in case of five ten pounds. Partition walls on lots of land may be built by either party, one half on his own the other half on his neighbour's land; not exceeding two feet in thickness, and any person obstructing or forfeit one hundred pounds, the same penalty is laid for obstructing firewardens; shooting with fire-arms within one mile of Kingston liable to a penalty of five pounds, or five days imprisonment, besides forfeiture of arms.—40 Geo. 3, c. 23.

KINGSTON GUARD.

A nightly watch established to be called the *Town Guard*, which the justices and vestry are empowered to form of such number of men as they may think necessary, to be under their direction, and by written orders; they are to prevent all unlawful practices, and empowered to apprehend offenders, or suspected persons, and in case of neglect of duty may be suspended or fined twenty shillings; and if the constables or officers of the guard neglect their duty they forfeit a sum not exceeding five pounds.—25 Geo. 3, c. 14. A tax laid on transient traders of two per cent on invoices, under oath, unless their cargo is consigned to a person paying taxes, towards the support of the guard.—26 Geo. 3, c. 13. The name changed to *The Kingston Night Guard*, of which the justices and vestry to nominate officers and privates annually, who are to direct their movements, and provide a guard-house, their orders to be signed and exhibited in the guard-house; they are to patrol the streets to prevent mischief and all unlawful practices, and empowered to apprehend all offending or suspicious persons, and slaves without tickets; the commanding officer to inspect the guard once in each night, and empowered to keep order; and if any officer neglects his duty he forfeits arrears of pay. From nine until five, in the morning they may suppress all slave or other meetings that are disorderly, and apprehend offenders; a bell to be fixed at the guard-house and rung at nine o'clock on complaint in writing of any tumults or disorders, the officer of guard must proceed immediately to suppress them, under penalty of ten pounds. The guard is indemnified for proceedings under this act—35 Geo. 3, c. 18.

KINGSTON HARBOUR AND WHARFAGE.

No wrecks to be sunk or ballast thrown into the harbour, under penalty of one hundred pounds, besides removing them,

except with leave of justices for careening. The channel between Port-Royal and Kingston to be buoyed or staked out at the charge of Kingston, and any person removing them to forfeit fifty pounds.—8 *Ann. c. 8.* Made a free port of entry and clearance.—31 *Geo. 2, c. 19.* All wherries, boats, or canoes plying in the harbour to be numbered and registered in the naval office, and the number with the owner's name and residence at length on the stern, under penalty of five pounds, to be properly fitted with five hands, and ply from day-break until eight at night, and refusing to work they forfeit two pounds. (See WHERRIES.)—15 *Geo. 3, c. 24.* Rates of duties on vessels are fixed, but altered by 60 *Geo. 3 c. 24*, as enumerated at end of this article, for maintaining and regulating the harbour, and they are not to be cleared out until the rates are paid, under penalty of fifty pounds on receiver-general, if the water bailiff has furnished the necessary certificate of mooring, which every master must sign in three days after mooring, under penalty of forty shillings; the governor to appoint a water bailiff. No ballast to be taken within two hundred yards of the breach in the palisadoes, under penalty of ten pounds, the water bailiff, who must be sworn; empowered to take up slaves offending, who may be imprisoned three months, unless owners pay five pounds each; Vessels are not to swing nearer to a wharf than fifty fathoms; nor to have a stern-fast, nor within one hundred fathoms from August to the last day of November, under penalty of ten pounds. Vessels not exceeding one hundred and fifty tons to have four working days alongside a wharf, from one hundred and fifty to two hundred tons six, from two hundred to three hundred eight, above three hundred twelve; water bailiff to make good damage arising from his ignorance or negligence, and no wharfinger or commissioner can be a water bailiff. Justices and vestrymen appointed commissioners under this act, who are to settle all disputes, and whose directions the water bailiff must follow; ballast must not be thrown into the harbour, under penalty of ten pounds for every offence; harbour-master to have direction of ships on fire, under penalty of five hundred pounds for obstructing him.—23 *Geo. 3, c. 26.* No carcases of horse-kind or horned stock to be thrown into the harbour from any vessel, nor on the shore, under penalty of ten pounds for each carcase, to be recovered before a justice of the peace; and the consignee to be liable in case of the departure of the vessel.—35 *Geo. 3, c. 18, s. 11, 12.* Harbour to include the water between the parishes of Kingston and Port-Royal, and the shores of Kingston, St. Andrew, and St. Catherine, and of Port-Royal and St. Catherine, extending from the head of the harbour to a right line from Gallows-point to

the southern-most point of Twelve Apostle's battery.—
61 Geo. 3, c. 29, s. 7. Rates of wharfage and storage regu-
lated, as follow :

Bales, bundles, boxes, cases, chests, and trunks, not exceeding eight feet, except as hereinafter specified, per-cubic foot	2.	d.
Above eight feet	0	7½
Bolts of osenaburga, canvas, and crocus, loose, each	0	5.
Cordage, per 112lbs.	1	0.
Mahogany, cedar, and other hard timbers, per 1000 feet	20	0.
Nicaragua and cam wood, per ton	15	0.
Logwood, fustic, lignumvite, ebony, and other dye and hard woods, per ton	18	6.
American plank, scantling, boards, staves, and heading, per 1000	15	0.
Shingles packed, 3s. 6d. loose, per 1000	5	0.
Oars and handspikes, per dozen	2	6.
Vats and butts of malt liquor, &c. per 100 gallons	5	0.
Butts of wine and spirits	10	0.
Pipes of wine, brandy, and gin	7	6.
Hogsheads of sugar, salt, lime, coals, and slates	5	0.
Ditto of salt fish and tobacco, per 112lbs.	0	7½
Ditto of oats, earthen and glass ware, and others of a similar description	3	9.
Ditto of porter, beer, and cyder	2	6.
Punchcons of rum, coffee, hams, &c.	3	4.
Tierces of sugar	3	4.
Tierces of coffee, ginger, pimento, rice, cornmeal, bottled liquor, earthen and glass ware, &c.	2	6.
Barrels of flour and other dry provisions	0	10.
Barrels of tar, pitch, turpentine, wet provisions, sugar, salt, coffee, pimento, or others of a similar description	1	3.
Crates of earthen and glass ware, 2s. 6d. 5s. and	7	6.
Hampers and baskets of cheese and potatoes, per 112lbs.	1	3.
Jugs and jars of all descriptions, per gallon	0	2.
Fishies of butter, beef, tongues, herrings, &c.	0	7½.
Kags of paint, at the rate of 56lbs.	0	5.
Kags of vinegar, pease, gruts, biscuit, currants, &c.	0	5.
Boxes of soap and candles, per 112lbs.	1	3.
Boxes of pickles, British compounds, and preserves, from 5d. to	2	6.
Iron ware, pewter, copper, lead, tin, and brass, of all descriptions, per 112lbs.	0	10.
Bricks, tiles, and slates, per 1000	15	0.
Flaving stones, each	0	7½.
Drip stones, 1s. 3d. to	2	6.
Drips and pots for sugar-refiners, two for	0	7½.
Grind and tomb stones, per 112lbs.	1	3.
Stocks, empty hogsheads or punchcons, each	0	10.
Wood-hoops, per 1000	7	6.
Ox-bows, per dozen	0	12.
Hides	0	5.
Bags of all descriptions, per 112lbs.	1	3.
Punchcons of temper-lime	3	9.
Corn, salt, &c. per bushel, 2½d. if stored, ditto	0	5.
Coach or chariot, including wheels	50	0.

Chaise or cart, ditto	20	0
Chairs, tables, jointers, piano-fortes, desks, side-boards, &c. per cubic foot	0	10
Ploughs, each	5	0
Hams, cheese, loaf sugar, loose, each	0	1
Triangles, each	5	0
Jack-screws, each	1	3
Chests of medicines, 2s. 6d. 5s. 7s. 6d. and	10	0
Chests of tea	2	6
Chests of arms	10	0
Truss-hoops, per set	1	3
Smiths' bellows, each	5	0
Butt and pipe, staves and heading, per 1000	25	0
Spades and shovels, per dozen	0	10
Horses, mules, asses, and horned cattle, each	3	2
Sheep, hogs, and goats, each	0	7½
All other goods, wares, and merchandise in proportion.		

An addition of twenty-five per cent. to be charged for all sugars sold and delivered from wharves; and fifty per cent. on all goods not taken away in three months.—44 Geo. 3, c. 23. The following rates to be paid by vessels for the maintenance of the harbour: those trading north of the tropic, every ship or three-masted vessel two pounds thirteen shillings and four pence; every brigantine, snow, or bilander, two pounds; every sloop or schooner twenty-six shillings and eight pence; and vessels trading between the tropics one half, and coasters thirteen shillings and four pence each every three months; to be raised as directed by 23 Geo. 3, c. 26, 60 Geo. 3, c. 15.

KINGSTON CORPORATION.

The freeholders constituted a body corporate, by the name of the *mayor, aldermen, and commonalty, of the city and parish of Kingston*, to sue and be sued, &c. to have one mayor, twelve aldermen, and twelve common council; to be convened by the custos for first election; seniority of aldermen to be determined by lot. A new mayor to be elected every three years, on the second Wednesday in January, out of the mayor and aldermen; and if an alderman is elected, another alderman must be elected; qualification of voters the same as for members in assembly; elections to begin at eight and close at six; clerk of peace to take the first poll; and recorder or clerk ever after; when votes are equal the election to be decided by lot. Aldermen to be divided into three classes of four each, to be numbered one, two, three, those of first class to continue one year, unless re-elected, if second two years, and if third three years; and on second Wednesday of January every year elections of aldermen to take place; and the same regulation is made for com.

men councilmen: The corporation have the full powers of magistrates and subject to same regulations, but the right of the king to appoint magistrates not affected; the corporation to be called "*the common council of the city and parish of Kingston*," any thirteen of whom, the mayor and two aldermen, or three aldermen, always to be part, to have the same powers as justices and vestry, and no vestry to be in future elected, and the vestry books delivered to the corporation. They are authorised to make and ordain bye-laws, ordinances and regulations, for the good order of the city, not repugnant to prerogative, or the laws of the island, and punishments limited to fine and imprisonment on white and free people, and flagellation and confinement of slaves; extent of harbour defined.---(See KINGSTON HARBOUR.) Trials of offences to be had in a summary manner before three of the corporation, if white or free offenders, and two if a slave. Fines to be levied by distress, &c. of one of the corporation. The corporation must annually elect a recorder, two churchwardens, one of which to be treasurer, a city clerk, to be called the clerk of the common council, collecting constables; a head constable, and such number of constables as may seem necessary, a parish clerk, sexton, headle, organist, and such others as may be requisite; the day of election was fixed by this act on the second Wednesday in January, but altered by 40 Geo. 3, c. 23, on the Monday preceding the second Wednesday in January, all officers to be inhabitants of the city and parish. The power to appoint the clerk of the peace: all officers except collecting constables removeable by the corporation. The common council to superintend Wolmer's free-school, poor-house, public hospital, asylum, and workhouse, and nominate officers; to appoint one alderman and two common council as sitting magistrates, who are to be allowed compensation not exceeding forty shillings for each daily sitting of each magistrate; three aldermen to preside at quarter sessions; securities of officers and salaries to be fixed by common council, and public taxes assessed and levied by them as well as parochial; oaths of allegiance, &c. to be administered to them; if the mayor absent, senior alderman to officiate; when elected a mayor refusing to act forfeits two hundred pounds, an alderman or common councilman one hundred pounds. If the mayor, alderman, or common councilman goes off or removes four miles from the city, or dies, another must be elected in his room; the same regulation is made as to the recorder, churchwardens, and clerk; meetings of common council to be appointed by the mayor, and those not attending may be fined; proceedings under the act not to be quashed for want of seal, and only re-

moveable by certiorari; thirty days' notice of actions must be given, and the general issue may be pleaded, as also in actions of replevin of levies.—41 Geo. 3, c. 29. Common countilmen made eligible to be elected as aldermen, or to any office that may be vacant, and their places filled up by new elections.—45 Geo. 3, c. 27. Enabled to purchase the piece of land in St. Andrew, called the race-course, or other lands in the island, for the use of the corporation, not exceeding in value fifty thousand pounds, the course to be open every day from five to eight o'clock.—49 Geo. 3, c. 28. The corporation empowered to enlarge and improve the court-house of Surrey, by a tax on the county.—2 Geo. 4, c. 18. Certain persons constituted a corporate body for conveying water through the city of Kingston, but the act not in force until allowed by the king, which it has not yet been.—59 Geo. 3, c. 20.

Fees payable to the Clerk of the Peace, Kingston.

	£.	s.	d.
For every affidavit and warrant		0	12 6
For every recognizance from each party		0	5 0
For every commitment		0	2 6
For every special discharge		0	2 6
For negro trials (the fees allowed by law).			
For every bill of indictment		1	10 0
For every bench warrant		1	10 0
For every compromise		1	10 0
For summons on servants' wages		0	15 0
For trial on ditto		1	5 0
Distress warrant for ditto		1	5 0
For every search warrant		0	15 0
For every affidavit to ground ditto		0	15 0
For proceedings under the inveigling act (the fees allowed by law).			
For each toll (fees according to law).			
Copy of toll (fee as by law).			
For licences (fees as by law).			
Countersigning subpoenas for sessions		0	1 3
For attending adjudication respecting salvage, and drawing up same		5	0 0
For affidavit and warrant of assistance to officer of the customs (if in office hours)		1	6 8
If at any other time		2	13 4
For adjudication against smuggled goods		2	13 4

Constables' Fees, Kingston.

For executing warrants of the peace, sessions, or assize	0	7	6
For executing the same at a wharf	0	7	6
When a boat is required	1	6	8
For conducting any prisoner to gaol	0	2	6
For serving summonses for servants' wages, and attending during trial	0	10	0
For executing distress warrant for servants' wages	0	10	0
For executing search-warrants	1	5	0

	£.	s.	d.
For every summons for debts, not exceeding 40s.	0	1	3
For contempt warrant thereon, if issued	0	2	6
For distress warrant on such debts	0	7	6
For distraining for house-rent, if within the city	0	10	0
If any other part of the parish	1	0	0
For each day's custody of things distrained for rent	0	6	8
(If sales are made of goods distrained, he may take the usual commissions of 5L per cent.)			

N. B. Upon distraining for rent, the constable must forthwith deliver a list of the articles distrained to the tenant.

See UP-PARK CAMP, WHERRIES, WOLMER'S FREE-SCHOOL, KING'S-HOUSE, see PUBLIC BUILDINGS.

LARCENY.

Larceny or theft is either simple or mixed. Simple larceny is the mere taking the goods of another without his consent, unaccompanied with any atrocious circumstance; but mixed or compound larceny also includes the aggravation of taking from the house or person. Simple larceny, when it is the stealing of goods above the value of twelve pence, is called grand larceny; when goods to that value, or under, it is petit larceny.

LANDLORDS, *see* RENT.

LAWS.

Original laws to be lodged in the secretary's office.—33 *Chas.* 2, c. 24. And entries to be sworn to by the secretary, when they are pleadable in any court of record.—10 *Ann.* c. 4, s. 3. Certain acts revived and declared perpetual, and all laws and statutes of England, at any time received as laws here, to continue so for ever.—1 *Geo.* 2, c. 1, s. 22. Transcripts of damaged records declared valid.—11 *Geo.* 2, c. 4. Commissioners appointed to print them, and when published to be received as evidence in courts.—30 *Geo.* 3, c. 20—32 *Geo.* 3, c. 29—47 *Geo.* 3, c. 18. Laws passed after the death of the king, but before such demise was known, to have full force and effect.—53 *Geo.* 3, c. 9. To be printed by contract.—59 *Geo.* 3, c. 24.

LEVIES, *see* COLLECTING CONSTABLES, PROVOST-MARSHAL, REPLEVIN, VENDITIONI, and PROCESS, in *Appendix*.

LEASES

Are not valid for more than three years, if not duly proved and recorded within three months of their date.—33 *Chas.* 2, c. 12.

LEAVING THE ISLAND.

Masters of vessels shall give security in the secretary's office in one thousand pounds, not to carry off any person without the governor's ticket, nor depart without leave under penalty of fifty pounds.—35 *Chas.* 2, c. 1, s. 2. Commanders

of packets to give like security.—45 *Geo. 3, c. 24*. Before persons leave the island, they must have a ticket under the hand of the governor, and their names must be put up twenty-one days previously in secretary's office, and oath made by some respectable person that the party has gone by that name for a year, or as long as in the island, affidavit to be filed in secretary's office, and if he neglects his duty, or otherwise grants a ticket, he is under the penalty of satisfying all the creditors.—If a caveat be entered against the name, the secretary may grant the ticket, on good security being lodged, in a bond to the king in double the amount of debt sworn to; but he must require the party entering into security to justify on oath to the amount of the penalty. Secretary not liable to debts unless caveat entered.—45 *Geo. 3, c. 24*.

LEGACIES.

Slaves are subject to payment of, but not if assigned for dower.—8 *Wm. 3, c. 2*. 40, 41.

See STAMPS in Appendix.

LETTERS OF MARQUE.

All prisoners to be delivered to agent under penalty of one hundred and fifty pounds, he must appoint deputies at outposts; prisoners without certificates may be apprehended; if in great numbers military aid may be called in, and provision made for them. Gaol-keepers to receive prisoners, and give notice to commissioners or agent; slaves taken prisoners must be sold for transportation, under bond, not to reland, if they return to be re-sold for exportation; prisoners of colour to be supported at expence of captors; at the conclusion of war slaves may be sold to defray expences.—41 *Geo. 3, c. 19*.

LIMITATION.

All bills, bonds, and mortgages, whereon no interest hath been paid, and judgments, recognizances, fines, and amerciaments, and all obligatory writings, bearing interest, and no part of such interest paid, or legally demanded, for twenty years since date, or since last payment of interest, are declared null and void.—10 *Ann, c. 12*. Confirmed, with a proviso for persons under age, coverture, or unsound memory,

but who must bring actions in three years after capable.—
29 Geo. 3, c. 13.

LOTTERIES.

Those keeping lotteries to forfeit two hundred pounds, suffer imprisonment not exceeding three months, and until fine paid; persons purchasing tickets or adventurers forfeit twenty pounds. Sales made by lottery void; those convicted by justices have an appeal to quarter sessions, but, if cast, forfeit treble costs; actions must be commenced in three months.—13 Geo. 3, c. 19.

See GAMING.

LUCEA, *see* HANOVER.

LUMBER.

Lumber not measuring according to mark, to be burnt.—
9 Geo. 1, c. 6. To be measured by a sworn measurer, who must mark the measurement.

See MEASURERS.

MAIMING.

Those who wilfully, maliciously, and unlawfully shoot at any of his majesty's subjects, or shall wilfully, maliciously, and unlawfully present, point, or level any kind of loaded fire-arms at any of his majesty's subjects, and attempt, by drawing a trigger, or in any other manner, to discharge the same at or against his or their person or persons, or shall wilfully, maliciously, and unlawfully stab or cut any of his majesty's subjects, with intent, in so doing or by means thereof, to murder or rob, or to maim, disfigure, or disable, such his majesty's subject or subjects, or with intent to do some other grievous bodily harm to such his majesty's subject or subjects, or with intent to obstruct, resist, or prevent the lawful apprehension and detainer of the person or persons so stabbing or cutting, or the lawful apprehension and detainer of any of his or their accomplices, for any offences for which he, she, or they may respectively be liable by law to be apprehended, imprisoned, or detained, or shall wilfully, maliciously, and unlawfully administer to, or cause to be administered to or taken by, any of his majesty's subjects any deadly poison, or other noxious and destructive substance or thing, with intent thereby such his majesty's subject or subjects to murder, that then and in every such case the person or persons, so offending, their counsellors, aiders, and abettors, knowing of and privy to such offence, shall be, and are hereby declared to be, felons, and shall suffer death as in cases of felony, without benefit of clergy: *Provided always*, That in case it shall appear, on the trial of any person or persons indicted for the wilfully, maliciously, and unlawfully shooting at any of his majesty's subjects, or for wilfully, maliciously, and unlawfully presenting, pointing, or levelling any kind of loaded fire-arms at any of his majesty's subjects, and attempting, by drawing a trigger, or in any other manner, to discharge the same at or against his or their person or persons, or for the wilfully, maliciously, and unlawfully stabbing or cutting any of his majesty's subjects, with such intent as aforesaid, that such acts respectively were committed under such circumstances as that, if death had ensued therefrom, the same would not in law have amounted to the crime of murder, that then and in every such case the person or persons, so indicted, shall be deemed and taken to be not guilty of the felonies, whereof they shall be so indicted, but be thereof acquitted.—59 Geo. 3 c. 19.

MAMMEE BRIDGE TURNPIKE.

Trustees appointed and incorporated, the representatives in

assembly for St. Andrew, Port-Royal, St. George, and St. David, with others, (all dead) for the purpose of laying out a road from the Hope estate to Beckford's Ford, and named "*The trustees of the Mammee Bridge Turnpike*." Five a quorum, with powers to purchase land, impanel juries, to erect a toll or duty on coffee of six pence per hundred weight, and borrow a sum not exceeding five thousand pounds, at eight per cent. redeemable in five years. Power given to de-strain for tollage; to appoint a treasurer and toll-keeper, on giving fourteen days notice in newspapers. Toll-keeper to settle monthly. Trustees empowered to compound the toll with properties in the vicinity. Those destroying turnpikes to be imprisoned six months; materials for repair to be taken from any uninclosed land; trustees empowered to raise or lower the toll, giving public notice, penalty of twenty pounds on toll-keeper demanding more.—46 *Geo. 3, c. 25*. Additional trustees appointed, proceedings of five declared legal; and a sum not exceeding ten thousand pounds, to be raised by the toll; trustees empowered to contract for making the road, and erect a toll-gate, but toll duties to cease when the road is completed.—47 *Geo. 3, c. 30*. Toll duties to be continued until the road fully completed, and trustees empowered to impose a toll on wheel carriages.—53 *Geo. 3, c. 24*.

MANCHESTER, PARISH.

This parish formed from part of the parishes of Vere, Clarendon, and St. Elizabeth, and to be part of the county of Middlesex, by a line on Robertson's maps from the river head at Alligator-Pond to the Gutters, excluding the buildings, from thence to the look-out, including the buildings, and thence to the westernmost sink of Hector's river; thence along that river eastward to the point of intersection of the line between Clarendon and St. Elizabeth, from thence to Porus estate, excluding the works, and from thence following the foot of Carpenter's mountains to the sea at the mouth of Swift river, to be called the parish of Manchester, and to have all the privileges of other parishes, and the southern interior regiment of militia to be called the Manchester regiment. The parish to elect churchwardens, vestrymen, &c. the first Monday in March, and to send two representatives to assembly; the clerk of the vestry to keep a book of freeholders; its incumbent to receive the same stipend as others; empowered to raise sixteen thousand pounds for public buildings, and the churchwardens made a body corporate for that purpose, the principal town to be

called Mandeville, and the public buildings to be kept in repair by the parish.—55 Geo. 3, c. 23. Inhabitants empowered to erect a free-school, and allot certain parochial lands for that purpose. The custos, members of assembly resident, rector, churchwardens, and four senior magistrates, of the parish, with the hon. William Rowe, the hon. Wm. Burge, Henry Rhodes Morgan, Edward Peart, James Brown, and Alexander Heron, and six freeholders to be elected in the same manner as vestrymen, and on the same day, made trustees for the management of the school, and made a body corporate with a common seal: the governor, bishop, president of the council, speaker, chief-justice, and attorney-general, made visitors. Five trustees to form a court, with powers to purchase land, appoint masters, receive scholars, make bye-laws, &c. Vestry empowered to raise a sum not exceeding five hundred pounds per annum for the purposes of this act. Meeting of trustees to take place in Spanish-Town during the sitting of the legislature.—5 Geo. 4, c. 20.

MANCHIONEAL, *see* PORTLAND.

MANNING'S ESTATE

Vested in trustees to be sold and the monies to be remitted to his majesty's treasury for a large debt due to the crown.—56 Geo. 3, c. 14, and 7 Geo. 4, c. 13.

MANNING'S FREE-SCHOOL, *see* ST. MARY'S and WESTMORELAND.

MANNING'S TOWN, *see* ST. MARY'S.

MANSLAUGHTER

Is defined the unlawful killing of another, upon a sudden heat of passion, without previous malice expressed or implied. The punishment is transportation, fine, or imprisonment. In trials of slaves the jury may find guilty of manslaughter, where the offence shall appear not to amount to murder.—42 Geo. 3, c. 18.

MANUMISSION.

If slaves have committed crimes and are afterwards manumitted they must be tried as slaves, and to derive no benefit from such manumission, in their trial for such crimes unless

the transmission was recorded before the crime was committed, and charge brought within three months after the offence.—25 Geo. 3, c. 8.

MAPS, *see* BOUNDARIES.

MARKETS.

Meat to be sold in open market only, and to be immediately taken away when paid for, no suet to be sold at a higher rate than meat; no butcher to refuse to sell to any person offering ready money, s. 4. Justices in sessions to appoint market places, and the market to be opened by ringing a bell, s. 5. Fees of clerks of market established, and regulated—10 Ann, c. 4, s. 30. Justices and vestry of parishes, where there are none, empowered to establish them, and to procure standard weights.—34 Geo. 3, c. 18.

MARKS, *see* CATTLE, HORSES.

MAROONS.

A rebellion having for a considerable time existed, and Cudjoe, and all the rebels under his command, in Trelawny, having submitted, articles of pacification were entered into, one thousand five hundred acres of land were granted to them in that parish, (since forfeited by the rebellion of 1795).—12 Geo. 2, c. 5. And articles of pacification were also entered into with those of Crawford's Town and New Nanny Town, land granted to them, and superintendants appointed with salaries of two hundred pounds each. Those infringing articles of pacification, to forfeit five hundred pounds.—13 Geo. 2, c. 8.* They are to

Articles of Capitulation.

JAMAICA, &c.
Whereas his excellency Edward Trelawny, esquire, governor and commander-in-chief of the island aforesaid, hath given power and authority to colonel Robert Bennett to treat with the rebellious negroes; this day, being the twenty-third day of June, one thousand seven hundred and thirty-nine, captain Quao, and several others of them under his command, surrendered under the following terms, *viz.*: *First*, That all hostilities shall cease on both sides for ever, *Amen*. *Second*, That the said captain Quao, and his people, shall have a certain quantity of land given to them in order to raise provisions, hogs, fowls, goats, or whatever stock they may think proper, sugar-canes excepted, saving for their hogs, and to have liberty to sell the same. *Third*, That four white men shall constantly live and reside with them in their town, in order to keep a good correspondence with the inhabitants of this island. *Fourth*, That the said cap-

have forty shillings reward for killing or bringing in any rebellious slave.---14 Geo. 2, c. 7. The boundaries of Trelawny Town fixed, and one thousand acres in the parish of St. Elizabeth allotted for Accompong Town, and a penalty of five

tain Quao, and his people, shall be ready on all commands the governor, or the commander-in-chief for the time being shall send him, to suppress and destroy all other party or parties of rebellious negroes, that now are, or shall from time to time gather together or settle in any part of this island, and shall bring in such other negroes as shall from time to time run away from their respective owners, from the date of these articles.---*Fifth*, That the said captain Quao, and his people, shall also be ready to assist his excellency the governor for the time being, in case of any invasion, and shall put himself, with all his people that are able to bear arms, under the command of the general or commander of such forces, appointed by his excellency to defend the island from the said invasion.---*Sixth*, That the said captain Quao, and all his people, shall be in subjection to his excellency the governor for the time being; and the said captain Quao shall, once every year, or oftener, appear before the governor, if thereunto required. *Seventh*, That in case any of the hunters belonging to the inhabitants of this island, and the hunters belonging to captain Quao, should meet, in order to hinder all disputes, captain Quao will order his people to let the inhabitants hunters have the hog. *Eighth*, That in case captain Quao, or his people, shall take up any runaway negroes, that shall abscond from their respective owners, he or they shall carry them to their respective masters or owners, and shall be paid for so doing as the legislature shall appoint. *Ninth*, That in case captain Quao, and his people, should be disturbed by a greater number of rebels than he is able to fight, that then he shall be assisted by as many white people as the governor for the time being shall think proper. *Tenth*, That in case any of the negroes belonging to captain Quao shall be guilty of any crime of crimes that may deserve death, he shall deliver him up to the next magistrate, in order to be tried as other negroes are; but small crimes he may punish himself. *Eleventh*, That in case any white man, or other the inhabitants of this island, shall disturb or annoy any of the people, hogs, stock, or whatever goods may belong to the said captain Quao, or any of his people, when they come down to the settlements to vend the same, upon due complaint made to a magistrate, he or they shall have justice done them. *Twelfth*, That neither captain Quao, nor any of his people, shall bring any hogs, fowls, or any other kind of stock or provisions, to sell to the inhabitants, without a ticket from under the hand of one or more of the white men residing within their town. *Thirteenth*, That captain Quao, nor any of his people, shall hunt within three miles of any settlement. *Fourteenth*, That in case captain Quao should die, that then the command of his people shall descend to captain Thomboy; and at his death to descend to captain Apong; and at his death captain Blackwall shall succeed; and at his death captain Clash shall succeed; and when he dies, the governor or commander-in-chief for the time being shall appoint whom he thinks proper.

In witness to these articles, the above-named colonel Robert Bennett and captain Quao have set their hands and seals, the day and year above written.

ROBERT BENNETT. (L. S.)
The mark of X captain Quao.

hundred pounds for intruding upon them.--31 Geo. 2, c. 9. Runaways taken up by them to be carried before a magistrate in five days, to be rewarded with forty shillings for each, at discretion of a justice, with seven pence half penny per mile, to be certified by the magistrate, which owners must pay or forfeit double the amount, to be recovered before a magistrate. ---10 Geo. 3, c. 5. Maroons disobeying the governor's orders, or of his superintendant, or exciting tumult or disorder, or departing from their town without leave of superintendant, to be tried by superintendant and four maroon officers, and suffer such punishment as they shall adjudge, not extending to life, limb, or transportation; the governor to grant commissions to hold such courts, and the proceedings to be reported to him in thirty days, under penalty of twenty pounds; superintendant and negro officers may be tried for neglect, &c. by a court-martial; punishment not to exceed six months imprisonment, or loss of commission. On complaint of robberies or other offences committed by maroons, justices to issue warrants for apprehension, and slaves to be evidence against them; to be tried where parochial business is transacted, by three justices, who must attend, under a penalty of twenty pounds, and must summon a jury of fifteen in ten days after complaint is made, and if a verdict of guilty be found, sentence of death, transportation, or other punishment, may be passed; where punishment is hard labour they are not to be worked with slaves; sundry powers are given to the court, and records to be kept by the clerk. Superintendants not to permit assemblages of slaves by day or night on maroon settlements, under penalty of being broke; if maroons inveigle or harbour slaves they are to be transported; and if they quit their towns without leave, or are seven days beyond time of leave, upon complaint on oath to a magistrate, they may be apprehended, sent back, and tried for the offence. Slaves purchased by them to be forfeited, and those selling them or buying in trust for them to forfeit one hundred pounds. When the superintendant sends out a party, his orders to the commanding officer must be in writing, specifying at whose request they were ordered out, and the time they are to return, but which must not exceed twenty days; they are to have forty shillings for every runaway apprehended, besides mile-money when on parties, and twenty shillings when not on parties, to be recovered before a magistrate; mile-money one shilling per mile for the first five miles, and six pence for every mile more; white persons not to employ maroons but by written agreement, under penalty of twenty pounds. Debts due to or by maroons to be recovered by 9 Geo. 2, c. 9.--(See MASTERS and SERVANTS.) Any per-

sons assaulting, &c. maroons may be indicted for the same: the superintendant to make quarterly returns of the numbers to the governor, and not be absent from his town above a fortnight without leave, or be broken for neglect of duty. Maroons must once in every year repair the roads leading to their towns and settlements, and to receive pay not exceeding fifty pounds for each town; the pay of parties by receiver-general, to captain two shillings and six pence, lieutenant one shilling and three pence, common men seven pence half penny, when on actual duty, with a supply of provisions and ammunition, but no party to be more than twelve, except on particular occasions. When they wish to leave their towns they must resign their lands at quarter sessions, which is to be recorded, and they are no longer subject to the superintendant, but have the privileges of free people, and the men must enlist in militia. This act to be quarterly read to them; jurors and others summoned on their trials protected; and when sentenced to be transported they are to be sold by receiver-general, and if they return they suffer death; this act not to abridge governor's power, but he cannot send any person off the island.---32 *Geo. 3, c. 4*. The maroons of Trelawny town having revolted, their lands declared forfeited, and commissioners appointed to sell them, but three hundred acres to be reserved for the use of his majesty's troops.---36 *Geo. 3, c. 33*. The maroons of this town to be transported off the island, and if they return to be tried and suffer death, and those aiding them guilty of felony.---36 *Geo. 3, c. 34*. Governor authorised to employ Accompong maroons as he thinks proper.---38 *Geo. 3, c. 29*. The governor indemnified for arming them during an alarm of invasion.---45 *Geo. 3, c. 31*. The governor empowered to employ the maroons, and entrust them when he shall think proper and expedient with gunpowder, arms, and ammunition.---46 *Geo. 3, c. 19*. Their pay increased when employed on roads to three shillings and four pence per day, but the sum not to exceed seventy pounds. Pay on parties increased, to captains five shillings, lieutenants three shillings and four pence, privates two shillings and six pence per day.---49 *Geo. 3, c. 22*. They are not to sell coffee without an affidavit of superintendant that it was the growth of maroon lands.---50 *Geo. 3, c. 20*.

MARRIAGE.

Marriage to determine indentures of girls apprenticed by parishes.---35 *Chas. 2, c. 11, s. 3*.

MARSHALS, *see* PROVOST-MARSHAL.

MARTHA BRAE, *see* TRELAWNY.

MARTIAL LAW

To be in force when proclaimed by advice of a council of war.—33 *Chas. 2, c. 21*. Not to occasion a discontinuance in suits at law, civil or criminal, nor of any process, and, when taken off, every thing to revive as if it had not intervened, and judgments to maintain priority.—17 *Geo. 3, c. 1*. The same regulations enforced as to assize-courts.—32 *Geo. 3, c. 12*. Certain commissioners empowered to dispose of provisions, stock, &c. procured for public use during the existence of martial law.—45 *Geo. 3, c. 80*.

See INDENTED PERSONS.

MASTERS AND SERVANTS.

No commander of a vessel, &c. to carry off white indented servants, under penalty of two hundred pounds, nor to conceal or employ them under penalty of twenty pounds, and those concealed admitted as evidence.—9 *Geo. 2, c. 9*. Complaints and disputes between hired or indented, to be heard and determined by two justices, overseers of plantations excepted, if their salaries, or the sum sought for, exceed one hundred pounds, or the application delayed beyond twelve months after the same became due, or, in case of masters or mistresses death, in three months after the estate is represented; warrant to issue in fourteen days in case of non-payment; in case of death, notice may be given to the representative. In case of misconduct of servants, the justices hearing the complaint may abate wages, commit to the common gaol for any time not exceeding a month, fine not exceeding twenty pounds, and, if an indented servant, by all of these ways, or by cancelling the indenture; and in case of imprisonment the servant shall serve the time he has been imprisoned in addition to the time in his indentures; in cases of ill treatment on the part of the master, the justices have power to discharge the indentures; and no proceedings under this act is removeable into grand court.—55 *Geo. 3, c. 19*.

MASTERS in CHANCERY, see *Appendix*.

MASTERS OF VESSELS.

Before any goods are landed to give one thousand pounds security in the secretary's office, not to carry any person off without the governor's ticket, nor depart without leave under

penalty of fifty pounds. Masters of turtlers, droggers, &c. to give security once in twelve months, and of trading sloops, &c. belonging to inhabitants, once in six months.—35 *Chas. 2, c. 1*. If they entice seamen from other vessels they forfeit fifteen pounds.—35 *Chas. 2, c. 4*. They are not to employ slaves without the consent of owner, under penalty of one hundred pounds, besides other penalties, and to make oath on entry, that they will not employ slaves without proper authority, and carrying off slaves is declared felony.—9 *Geo. 2, c. 9*. Commanders of packets to give same security as masters of vessels not to carry persons off the island.—45 *Geo. 3, c. 24*.

See LEAVING the ISLAND.

MAYHEM.

Is an injury more atrocious than battery, and consists in violently depriving another of the use of such members as may defend him in battle, or annoy his adversary. Among such defensive members are reckoned not only arms and legs, but a finger, an eye, and a fore-tooth. But the loss of one of the jaw-teeth, the ear, or the nose, is no mayhem at common law, as they can be of no use in personal defence.

See MAIMING and MURDER.

MEASURER.

All masters of vessels arriving with lumber must apply to a sworn measurer, under a penalty of fifty pounds, who must, under a penalty of forty shillings attend within twelve hours, and measure and mark the same, under the following regulations: every deal or other board or plank on the square edge half an inch and less than three quarters to be reckoned half an inch; those three quarters, and not an inch to be deemed three quarters; those one inch and less than an inch and a quarter to be deemed inch thick, and all deal or other boards, plank, scantling, or ranging timber of greater thickness, to be reckoned and marked at the same rate; measurer to be paid five shillings for each thousand feet, and if any piece is marked for more than it contains he forfeits ten shillings for each. No person to be a measurer without being examined by the justices in sessions, and, if found qualified, there sworn in, and a certificate granted to him, any person acting without such qualification to forfeit ten pounds for every offence. Staves to be

not less than forty-four inches in length and four in breadth, shingles not less than twenty inches and five in breadth, under penalty of forty shillings per thousand for staves and ten shillings for shingles.—13 *Geo. 3, c. 12.* Vessels importing lumber not to be cleared out until affidavit has been produced from a sworn measurer that he has measured the whole, under penalty of one hundred pounds on the naval officer, as also an oath of the consignee that it has been measured; persons selling lumber not measured to forfeit one hundred pounds. Naval officers fee for filing affidavits five shillings.—48 *Geo. 3, c. 28.*

MIDDLESEX, *see* COUNTIES.

MILITIA.

If a person of colour or free negro is killed in militia duty, his widow and family are to receive such annuity as the justices and vestry of the parish shall deem competent, to be paid by the receiver-general, on receiving a certificate of the minister or two magistrates; but no annuity to exceed fifty pounds, and in case of death of the mother the eldest child to have the annuity until sixteen years of age: If the person is disabled by wounds, the annuity may be increased to seventy pounds while in the island and incapable of duty.—36 *Geo. 3, c. 15.* Every male from sixteen to sixty years of age must enlist in four weeks, under penalty of ten pounds, with the exception of the members of the council, the speaker, the chief-justice, and persons employed in the dock-yard and naval hospital Port-Royal; those who have borne commissions, if not degraded, &c. entitled to their rank. Newcomers exempted from duty for three months; pilots only liable to do duty during martial law, *s. 1.* Colonels may order courts of enquiry to sit, and bring unenlisted persons before it, who, if they refuse to enlist, may be committed to gaol and detained until they do enlist, by warrant of the president, which marshal must execute, under penalty of twenty pounds. Non-commissioned officers or privates subjected to a penalty of ten pounds for neglect in duty to a court of enquiry, or imprisonment not exceeding ten days; officers not attending may be fined twenty pounds, persons impeding parties on duty may be fined one hundred pounds, *s. 2.* Clerks of vestry to send colonels returns of persons saving deficiency, under penalty of twenty pounds, *s. 3.* The uniform of the militia particularly described, *s. 5.* Book-keepers to be provided with regimentals at the expence of their employer; those making oath of inability to be supplied by the parish once in three years, both at a value not exceeding

eight pounds, penalty on justices refusing one hundred pounds; on vestrymen fifty pounds, s. 6, 7: Arms deemed the property of plantations, and proprietors, &c. to keep them in order, and to be given in on oath quarterly, under penalty of twenty pounds, and seven pounds ten shillings for every stand of arms deficient, but if neglect be owing to the overseer the fines may be stopped from his wages, s. 8, 9, 10. Those neglecting duty or owing militia fines cannot save deficiency, s. 11, 13. Arms not to be removed from any plantation, under penalty of twenty pounds, s. 12. Gunpowder to be furnished by the public for the use of the militia, those embezzling or injuring arms, ammunition, &c. to be fined not exceeding twenty pounds, or imprisoned not exceeding twenty-eight days, s. 14, 15. Musters to take place monthly by divisions, by order of colonel, and captains of troops, and quarterly in regiments, under penalty of fifty pounds on the colonel or commanding officer. Commander-in-chief may order more frequent musters when necessary; on sudden emergencies of alarm of invasion or insurrection, the nearest field-officer to order a muster, giving notice to commanding officer: captains in such cases in the absence of superiors may order musters of companies, and any other men belonging to the regiment on the spot. Colonels or commanding officers may order a muster preparatory to Christmas holidays, and order such guards and patrols from twenty-fourth December to second January, as may seem necessary. Justices and vestry to grant subsistence to non-commissioned officers and privates on guard at the rate of five shillings per day. Several parishes empowered to muster by divisions, and places appointed for such musters, s. 16. Officers not liable to suits for appointing places of muster if not on cultivated land, common pastures excepted, s. 17. Those absent from muster to be fined twenty shillings for first offence, or imprisoned twenty-four hours, for the second offence, if within six months forty shillings or forty-eight hours imprisonment; for the third offence, if within six months of the first, six pounds or imprisonment six days; and for every subsequent offence, if within twelve months of the first, subjected to trial by court-martial and may be fined, not exceeding twenty pounds or imprisonment not exceeding twenty days; but one white man to remain on every plantation, if there be not less than three able white men upon it, and two to remain where there are five; and a proprietor not doing duty must be considered as one of those left on plantation, s. 18. Officers absent from musters to forfeit, a captain six pounds, under that rank four pounds, a colonel twenty pounds, a colonel-commandant under a colonel-in-chief fifteen

pounds, a lieutenant-colonel fifteen pounds, a major ten pounds; officers absent twice in six months liable to such punishment as a general court-martial may inflict, by censure or fine, s. 19. Commanding officers to transmit a list of all fines due, to the clerks of vestries, under penalty of fifty pounds, s. 20. Captains or officers commanding a troop must within five days, and not sooner than three days, after every muster in St. Catherine and Kingston, and within ten days, and not sooner than seven days, in every other parish, make a return of all present at such muster to the colonel or commanding officer, and the names of absentees and defaulters in arms and accoutrements, under penalty of twenty pounds; excuses for absence to be sent to captains in St. Catherine and Kingston in three days, in other parishes in five days; captains, &c. to deliver with their returns warrants ready for signature against defaulters, under penalty of ten pounds. Commanding officers to make annual returns to the commander-in-chief in October, and oftener, and in such form as required, s. 21. Militia exempted from arrest or civil process while on duty, and forty-eight hours before and after, under penalty on marshals of one hundred pounds, to be recovered in supreme or assize courts, to the use of the party aggrieved, with full costs, and such executions declared void, s. 22. Those refusing to obey, or not promptly obeying, superiors; or who use contemptuous language or behaviour; or officers oppressing or maltreating their inferiors; or officers or others striking or drawing weapons against others, or using wrongful violence or force, (with a proviso, in this case that those making frivolous complaints shall suffer similar punishment); or officers or soldiers not keeping silence or behaving in a disorderly manner while on duty; or persons hindering those in their employ from militia duty; or officers or soldiers giving or sending challenges; or officers behaving in a scandalous or infamous manner; and all disorders or neglects to the prejudice of good discipline, not specified in the act; subjected to such punishment as a court-martial shall award not exceeding one hundred pounds fine nor twenty-eight days imprisonment, s. 23, 24, 25, 26, 27, 28, 30, 31, 32. Officers guilty of riotous or disorderly behaviour liable to degradation, or such punishment as a general court-martial shall award; and non-commissioned officers or soldiers so offending, such punishment as a court-martial may award, not exceeding fifty pounds fine, or twenty-eight days imprisonment, s. 29. No person can be aid-de-camp to commander-in-chief, or on the staff, unless he has done duty as a captain or field officer for two years, and shall do duty in his regiment when not employed as an aid-de-camp, or on the

staff, under penalty of twenty pounds. Colonels to enforce fines and pay them over to receiver-general, under penalties of one hundred pounds. No general officer shall have a staff unless on actual duty, s. 33, 34. Persons having brevet rank to do duty according to regimental rank; none to have brevet unless a captain or field officer who has done duty for two years, and no brevet to confer more than one step above regimental rank, save only as aids-de-camp; persons who hold brevet and have withdrawn, are obliged to do duty in the parish where they reside, as must all officers removing, under penalty of twenty pounds, s. 35, 36, 37. Promotions to be published in Royal Gazette in a month after date; officers declining promotion for six weeks to do duty in their rank, and the colonel authorised to recommend the next senior officer to promotion, s. 38. The following number of officers appointed to regiments: St. Thomas in the Vale, St. John, St. Dorothy, Vera, St. Andrew, Port-Royal, St. George, Portland, Hanover, and Western Interior, (formed from the interior parts of Westmoreland, Hanover, and St. James, by 47 Geo. 3, c. 27.) one colonel, one lieutenant colonel, and one major; and one captain, one lieutenant, and one ensign, for each company; one chaplain, the rector of the parish; one adjutant, one quarter-master, one surgeon, and one judge-advocate to be appointed by commission; one serjeant-major, two quarter-master serjeants, one drum-major, one marshal and one secretary, and to consist of no more than six companies, unless they exceed sixty rank and file. The following regiments, St. Catherine, Clarendon, St. Mary, St. Ann, St. Thomas in the East, and Westmoreland, not more than one colonel, two lieutenant-colonels, two majors, and for each company one captain, one lieutenant, and one ensign, and the same number of commissioned and warrant officers as the first mentioned regiments, each regiment to consist of eight companies, and one company of artillery; for each of the following, St. James, Trelawny, St. Elizabeth, and for each of the Kingston battalions, one colonel, two lieutenant-colonels, two majors; and for each company, one captain, two lieutenants, and one ensign, and the same number of warrant and commissioned officers, and to consist of ten companies and one company of artillery; the Kingston regiment to have a colonel-in-chief, and the deputy-judge advocate to be same for the troop of horse. Whenever the companies consist of or exceed sixty rank and file four officers may be appointed; for each regiment of cavalry one colonel, two lieutenant-colonels, two majors, one chaplain, and one adjutant; and one captain, two lieutenants, one cornet, one quarter-master, and one surgeon, for every troop; and

one serjeant-major, one trumpet major, and one secretary, to each regiment; colonels recommending any more than above officers to suffer such fine as a court-martial may award not exceeding one hundred pounds, and absence on leave not to make a vacancy, s. 39. Colonels or commanding officers to recommend persons for officers in proper circumstances and under twenty-one years, on two years previous service. If they recommend improper persons they forfeit one hundred pounds, and recommending persons intending to remove from one parish to another for the purpose of procuring rank an infraction of this clause; every recommendation to be on honour, s. 40. Officers subject to the command of superiors, s. 41.— No officer to resign but by permission of the commander-in-chief, or sufficient cause shewn to a court-martial, but if the cause appear insufficient the party must do duty in the commission he held, or, in case of refusal, degraded and sentenced to serve as a private; any colonel accepting an improper resignation to forfeit a sum not exceeding five hundred pounds, as a general court-martial may award, s. 42. An officer removing from one parish to another to give notice to his colonel and the colonel of the parish to which he removes, under penalty of a fine not exceeding one hundred pounds, as a court-martial may award; and, in failure of such notice for six weeks, a further fine not exceeding three hundred pounds, or degradation to the ranks; colonels to report removals, under penalty of fifty pounds.— Officers removing to do duty *en seconde*. Non-commissioned officers and soldiers removing, immediately to join the regiment of the parish they remove to, s. 43, 44. No new troop of horse to be raised, nor any officer to enlist in his troop unless it fall short of forty privates, under penalty of one hundred pounds, as a court-martial may award; no person to be discharged from the horse but by permission of the commander-in-chief, who is authorised to reduce troops when more than one in a parish; privates of horse cannot remove to foot without leave, and on oath of inability to pay the expence, but a private may remove from the foot to the horse, s. 45, 46. Colonels empowered to select men for their flank companies, and order courts-martial when required, commander-in-chief to order general courts-martial; every general court to consist of at least thirteen officers, and not more than fifteen, and none under the rank of captain; and every regimental court-martial, if of horse at least three, and if of foot, at least five officers, to be warned three days previous; if complaint be made by an officer of foot against an officer of horse, the court to consist of an equal number of officers of foot and horse, exclusive of president; and the same *vice versa*, but in this case the colonel

of horse to order the court; no officer can sit without having taken the oaths of allegiance and supremacy; officers not attending courts, when warned, to forfeit from twenty pounds to fifty pounds at discretion of a regimental court-martial, with power to commander-in-chief to remit, s. 50, 51. Those to be tried by general court-martial to have five days' notice, and by a regimental two days, and be convicted if they fail to appear, s. 52. Members of courts-martial to be sworn as follows:

You shall well and truly try and determine, without partiality, favour, or affection, according to evidence, in the matter now before you, between our sovereign lord the king and the offender to be tried, and you shall not, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice, in a due course of law. So help you God.

The judge-advocate must also be sworn to secrecy; and every court-martial empowered to administer oaths, and swearing falsely before it declared perjury; persons not in the militia who refuse to attend to forfeit one hundred pounds, and those in the militia such punishment as a court-martial may award, not exceeding one hundred pounds fine or three months imprisonment; judges of supreme and assize-courts and of common pleas may award a *habeas corpus* to bring prisoners before courts-martial; judgments in them to be given by a majority, but an appeal to lie from a regimental to a general court-martial, but in frivolous cases the latter has power to increase the punishment, to award costs, and direct compensation; and judgments of general courts, not extending to degradation of a commissioned officer, not subject to revision, s. 53 to 57. Colonels to appoint marshals, who must act under penalty of thirty pounds, and if they neglect their duty to be fined twenty-shillings for every neglect; or imprisoned not exceeding two days, and constables to execute the colonel's warrant; enquiry to be made quarterly into the execution of warrants by regimental courts-martial; and the marshals to have salaries as well as commissions, and the principal one in Kingston one hundred pounds, and in other parishes fifty pounds per annum; and twenty-five per cent. commissions; salaries to be paid out of fines, and if any deficiency by receiver-general; resisting marshals to be punished by a court-martial by fine not exceeding one hundred pounds or imprisonment not exceeding twenty-eight days; deputy-marshals to receive prisoners under penalty of one hundred pounds; s. 58 to 62. Regimental courts-mar-

tial not to punish by fine exceeding fifty pounds, nor more than twenty-eight days imprisonment; no commissioned officer to be tried by them; no court-martial to sit before eight nor after five o'clock, but may adjourn; this act in force during martial law; penalties to be recovered under warrant from colonel, directed to the marshal; the fines to be applied for the purposes of purchasing drums, fifes, colours, &c. and surplus paid to receiver-general; colonels may cancel warrants; marshals not paying over fines liable to such punishment by fine and imprisonment as a court-martial may award; colonels not accounting to receiver-general to be tried by a general court-martial, and to be fined not exceeding one hundred pounds. Where there are no gaols a place of confinement to be appointed by the magistrates, at the expence of the parish; adjutants to keep account of fines, and judge-advocate to keep records, *s.* 63 to 71. Councils of war to consist of the governor, admiral, members of the privy council, the speaker and members of assembly, general officers of militia, who have served seven years in militia, colonels or officers commanding militia regiments, and the field officers of such regiments, not being officers in the regular troops, twenty-one to be a quorum; during the dissolution of assembly the late members to act; martial law not to be imposed but by the advice of such council; during martial law non-commissioned officers and privates to receive five shillings per diem, *s.* 72 to 74. The governor to regulate the march of militia during martial law, and commanding officers empowered to procure refreshment not exceeding ten shillings per man for twenty-four hours, and may impress slaves, wains, carts, &c. giving certificates for every thing, and for so doing they are indemnified, *s.* 75, 76. Cavalry to carry expresses during martial law, militia to serve with none but white troops, and all persons indemnified for acting under this law, *s.* 77 to 79. Every white non-commissioned officer or private wounded in the service, so as to be rendered incapable of serving, to be allowed an annuity of seventy pounds, and if of colour twenty-five pounds, during residence in the island; if whites are killed the widows entitled to receive seventy pounds during widowhood, and in case of marriage or death, to go to children in equal shares, until the youngest is twenty-one years old, *s.* 80. Fines of colonels or commanding officers, to be levied by governor's warrant, directed to the provost-marshal, *s.* 83.—50 *Geo.* 3, *c.* 17. A southern interior regiment was formed by 53 *Geo.* 3, *c.* 23, now called the Manchester regiment. The musters directed by the eleventh section of 50 *Geo.* 3, *c.* 17, to be held in the most convenient places by companies, and the quarterly musters to be considered as monthly musters,

and supersede them in the month they take place, making twelve musters in all in the year, except as to St. Catherine and Kingston, but these only to have twelve musters, governor's power not affected; instead of general musters in St. Ann's, one division to muster at St. Ann's Bay, and another at Rosetta grass-piece; authority of colonels to mount guards at Christmas suspended without the authority of the governor; commanding officers of regiments may issue warrants against delinquents for three successive offences, or try them at any subsequent stage by a court-martial; and, after trial, to proceed against them for first, second, third, and fourth offences, and so on *toties quoties*; when general officers are ordered to inspect, they may call on commanding officer for all returns necessary, which must be made in fifteen days after inspection, under penalty of fifty pounds, but general officers cannot interfere in the internal management of regiments, but may appoint their own staff, one aid-de-camp, and one major of brigade, and the general and staff on duty protected from legal process; an inspection by a general officer to be considered as one of the general musters. A troop of horse to be formed in Manchester—1 *Geo. 4, c. 18*. When militia are ordered out on any sudden alarm, commanding officers to order refreshment not exceeding five shillings for each man every twenty-four hours, and may impress slaves, wains, &c. giving proper certificates; the commanding officer on such parties to be paid twenty shillings per day; other commissioned officers fifteen shillings per day; non-commissioned officers seven shillings and six pence per day, privates five shillings per day, and slaves employed three shillings and four pence per day, to be paid to their owner.—6 *Geo. 4, c. 14*. A new regiment formed in St. Ann.—8 *Geo. 4, c.*

See RULES and ARTICLES of WAR, in Appendix.

MILK-RIVER BATH.

The waters of this Bath having been found of great utility in various disorders, and Jonathan Ludford, esq. having conveyed half an acre of land, containing the bath, in trust for the public use, trustees appointed of members of council and assembly, *custos of Vere*; for the time being, with others, as directors, and incorporated to direct the management of the Bath; one thousand pounds granted for erecting buildings, and full power given to the corporation, to sue and be sued, &c. and to appoint officers at an expence not exceeding one hundred pounds

per annum; no power given to sell, but they may lease for twenty-one years, rent to be for the benefit of the poor; they are also empowered to establish a market.—33 *Geo. 3, c. 19*. Enabled to purchase land, and two hundred pounds granted for that purpose.—34 *Geo. 3, c. 25*. Empowered to summon a jury to compel the sale of contiguous land.—35 *Geo. 3, c. 26*. Additional commissioners appointed of all the justices of the parish of Vere, and a further sum of two hundred pounds granted for buildings; any medical man appointed to attend it shall make oath that he visited three days of the week at least and report his practice to the house of assembly annually.—44 *Geo. 3, c. 29*.

MINORS.

Their rights to real property not defeated by five years' possession if action brought in three years after majority.—10 *Wm. 3, c. 1*. And such rights not defeated by seven years' possession, if actions brought in five years.—10 *Ann, c. 12*. Not defeated if actions brought in three years.—4 *Geo. 2, c. 4*. They cannot grant titles.—10 *Ann, c. 12, s. 3*. They can contest reputed boundaries in five years after majority.—14 *Geo. 3, c. 5*. If any guardian, &c. deliver up slaves belonging to minors to marshal it is a misdemeanor, and the court may fine or imprison.—17 *Geo. 3, c. 7*. If their slaves ignorantly levied upon, a judge may order them to be delivered up on proof, or the sale delayed until decided in court; if guardians, &c. fail in application, they are deemed aiding, and punished accordingly; if no assistant judge within twelve miles, a judge of common pleas may act; on notice of application sale must be postponed.—17 *Geo. 3, c. 7*. They cannot vote for members of assembly.—21 *Geo. 3, c. 15*. May bring actions to recover slaves sold under venditioni in five years after capable.—23 *Geo. 3, c. 13*.

MISDEMEANOR

Is applied to all those offences for which the law has provided no particular name, and comprehends all indictable offences which do not amount to felony, as perjury, battery, libel, conspiracies, attempts and solicitations to commit felonies, &c.

MONTEGO-BAY

Made a port of entry and clearance—31 Geo. 2, c. 19. Justices and vestry must erect a court-house, and keep it in repair by a parish tax.—15 Geo. 3, c. 25. The rates of wharfage and storage fixed as follow for the county of Cornwall.—(See FALMOUTH WHARFAGE.) Transient traders to pay in St. James one per cent. on the value of their goods; persons not paying taxes to be considered transient traders; justices and vestry to elect a collector, who must attend from nine to two in Montego-Bay; transient traders must attend him in forty-eight hours, and make oath of the value of their goods, &c. and pay the tax, if not exceeding five pounds, if above that sum they may give bond with security, payable in thirty days. Not to pay in two parishes; if they consign the goods to an inhabitant paying taxes it must be done by an oath prescribed, and corroborated by an oath of consignee, when the tax is remitted; if they do not attend, they may be summoned, and assessed by five of the justices and vestry, to be levied by distress, and if no goods found may be fined and imprisoned by three magistrates, who may fine not exceeding twenty pounds, and imprison until fine and tax paid; public taxes on transient traders to be levied in same manner as the parochial; persons swearing falsely guilty of perjury; magistrates neglecting their duty to forfeit twenty pounds, and churchwardens declared a body politic for the purposes of this act.—31 Geo. 3, c. 6. The fort at Montego-Bay put on the public establishment.—32 Geo. 3, c. 31.

MONTEGO-BAY POLICE.

No persons to retail liquors without license from vestry, giving security for good behaviour according to provisions of the act, not to sell liquors before eight, nor after six, under penalty of five pounds; licences to be granted but for one year, fees ten pounds to churchwarden and two pounds ten shillings to clerk of peace; disposing without license a penalty of twenty pounds, and no one to have a license who has not resided a year and paid taxes, unless disabled soldiers or sailors; persons selling less than twenty gallons considered retailers; only one shop to be kept for each license; all persons to have fire buckets, from twenty to sixty pounds rent two and one negro; from sixty to one hundred pounds three and two negroes; one hundred pounds and upwards four and three negroes, under penalty of forty shillings for each bucket wanting, to contain two and a half gallons, deficient or bad, and four pounds for a second offence; churchwardens to provide and keep fire-engines in repair; justices to provide places for them, and appoint a captain

to each, and reward active persons; five hundred pounds to be raised for making conduits and wells, and rewards given to captains of engines, first at fires five pounds five shillings, and second three pounds five shillings; justices and vestry to appoint five firewardens, who must be sworn in, and act under penalty of twenty pounds, and to have sole direction at fires; those assisting at them protected from judicial process; a company of militia to be called out in cases of alarm; firewardens, &c. to repair immediately to fires, to examine engines every three months and buckets every six months; empowered to pull down houses, and if fire thereby stopped owners to be indemnified, but not for the house first on fire; coopers not to make fires but in squares surrounded by brick-walls; slaves not to be in streets from nine until five in the morning; owners of negro houses or huts to give in an account of them, and also in a month after new ones are built, and where several are together to have only one entrance, under penalty of their being pulled down; slaves riding or driving furiously through streets, or turning horses, &c. loose, the owner to forfeit forty shillings if the slave is not delivered up for punishment; and free people to be fined not exceeding five pounds or sent to hard labour in workhouse for a week. Justices and vestry to establish a nightly watch, to be under their direction, and the regulations of this act; and justices empowered to lay a tax to support it. Workhouse negroes to keep the streets clean and in repair, as also the Savanna and parish lands, &c. and justices empowered to hire scavengers, and to enforce the draining of all swampy lands in the town, and unless their orders are complied with, the lands may be forfeited in certain cases; those exposing putrid or offensive provisions for sale to forfeit twenty pounds, and articles to be destroyed; governor to appoint a bailiff for harbour, to have a salary from parish not exceeding sixty pounds, who is to have sole charge of vessels on fire and a penalty of five hundred pounds laid for obstructing him; the churchwardens incorporated for the purposes of this act, and made amenable to justices and vestry; actions under this act to be commenced in six months, all fines not exceeding ten pounds recoverable before a justice, above in any court of record.—35 Geo. 3, c. 35. Justices and vestry made trustees for improving the town, nine a quorum, two to be magistrates and six vestrymen, who must appoint a town surveyor, a clerk, and such other officers as they deem fit, to record a diagram of the town, to cause surveys, and purchases to be made of land to complete the diagram, and to sell superfluous lands; to regulate buildings according to the diagram, with power to sell and re-sell as they deem proper; in order to prevent fires

The firewardens are empowered to remove nuisances, and indict those who refuse to do so; the trustees are incorporated, with the usual powers, and collector of parish tax made treasurer; they are empowered to raise money by a tax not exceeding five hundred pounds in one year, and by loan not exceeding six thousand pounds. The justices and vestry for the time being must provide a market place and appoint a clerk, to be open from six to four; to hire the stalls and otherwise regulate it, and to fix places of slaughter. They are empowered to raise five thousand pounds for building a court-house, and lay a tax of four hundred pounds per annum on slaves for three years, for the purposes of this act; to provide a burial ground for strangers, and none to be interred but in such place, under penalty of fifty pounds; trustees not attending meetings to be fined twenty shillings; penalties recoverable as in preceding act, with limitation to twelve months after committed.—36 *Geo. 3, c. 35.* The corporation in foregoing act empowered, by a jury, to enforce the sale of lands wanted for a court-house, in the usual forms, and to raise a further sum of fifteen thousand pounds in four years, to build a court house, gaol, guard-house, arsenal, and a bridge.—42 *Geo. 3, c. 24.* Declared the county town of Cornwall and the assize court to be held there as heretofore at Savanna-la-Mar, and all causes which under 31 *Geo. 2, c. 4,* could have been tried there to be tried at Montego-Bay, and the gaol to be the county gaol of Cornwall.—56 *Geo. 3, c. 2.* The board of works authorised to sell the barracks and erect other barracks.—59 *Geo. 3, c. 22.* The justices and vestry made a body corporate for the management of the marine hospital, and to establish regulations, and a tax laid for its support on vessels from Europe of one shilling and six pence per ton; for those trading between the tropics, or to America, if belonging to persons resident in St. James' four pence per ton, and for vessels trading from British America or United States eight pence per ton, which the corporation has a power to lessen; droggers and vessels trading under free-port act, to pay three pounds for every man sent into hospital; vessels having sick on board must send them to the hospital under penalty of twenty pounds.—No vessels to be cleared until duties paid.—60 *Geo. 3, c. 16.* The old barrack land vested in the justices and vestry for a workhouse.—1 *Geo. 4, c. 19.*

MONTIGO-BAY CLOSE HARBOUR.

A company established for making a close harbour at Meagre Bay, to raise ten thousand pounds, or more by subscription, in shares of one hundred pounds each, and made a body corporate with full powers; shares declared personal estate;

thirteen directors to be chosen, and afterwards elected every second Monday in January, or if not on that day any other, who chuse a president; they may elect officers, make repairs, erect piers, &c. purchase land, remove impediments, cleanse and open the bay, &c. &c. No wharf to be built without their license; vessels entering the harbour to pay six pence per ton, except droppers, turtlers, or those under free-port act; vessels in close harbour to pay a half penny per day for every ton, no vessels to be cleared till duties paid, and they are recoverable before a magistrate; ballast to be deposited where the corporation directs, under penalty of ten pounds. The following are the rules of the corporation:

First, Each share in the capitals of the said corporation shall entitle the holder thereof to one vote; but no person, co-partnership, or body politic, shall be entitled to more than four votes; nor shall any person, not being a subject of Great Britain by birth or by naturalization, be entitled to any vote: And, after the first election, no share shall confer a right of suffrage which shall not have been holden three months at least previous to the day of election: Votes may be given by proxy appointed in writing.

Second, None but a stockholder resident in this island, and holding at least two shares, shall be eligible as a director.

Third, The president and directors, or any of them, shall not be entitled to any emolument or compensation for attendance and trouble, unless the same shall be allowed by the stockholders at a general meeting.

Fourth, Not less than seven directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in case of sickness or necessary absence; in which case his place may be supplied by any other director, whom he, by writing under his hand and seal, shall nominate for that purpose, or, in default of such nomination, by any other director, to be nominated by the directors convened at the time, and out of their number.

Fifth, There shall be four general meetings of stockholders every year, for purposes relative to the institution, and any number of stockholders, not less than forty, shall have power at any time to call a general meeting for the like purposes, giving at least three weeks notice, by advertisement in some one public newspaper of the island.

Sixth, Every cashier or treasurer, before he enters upon the duties of his office, shall give bond, with a surety or sureties to the satisfaction of the directors, in a sum not less than five thousand pounds of current money of this island, with condition for the due and faithful execution of his office.

Seventh, The stock of the said corporation shall be assignable and transferable, according to such rules as shall be instituted in that behalf by the laws and ordinances of the same.

Eighth, Quarterly dividends shall be made of so much of the profits of the corporation as shall appear to the directors advisable; and, once in every year, an exact and particular statement of the accounts of the said corporation shall be laid by the directors before the stockholders, at a general meeting, for their information.

Ninth, In case the two capital sums, of ten thousand pounds and ten thousand pounds, herein before mentioned, shall be found by the said corporation insufficient to answer the purposes thereof, the said corporation may raise any further sum of money, not exceeding the sum of fifteen thousand pounds of current money of Jamaica, upon loans, on bonds under the seal of the said corporation, or notes issued by order of the said corporation, and signed by the president, two directors, and the secretary of the said corporation; which bonds shall be assignable in like manner, and to the same intent and effect, as other bonds for payment of money by any private person or persons, in his or their natural capacity or capacities, are, by the act of this island in that behalf made; and which notes, though not under the seal of the corporation, shall be binding on the same, and shall be assignable and negotiable as notes made by any private person or persons, in his or their natural capacity or capacities, are.

Tenth, The corporation may, in case of any surplus of profits after making dividends of eight pounds per centum per annum, vest any sum or sums of money, not exceeding in the whole the sum of fifty thousand pounds of current money of this island, in the purchase or purchases of lands, tenements, slaves, and hereditaments, for the use and benefit of the said corporation, or in a loan or loans bearing interest at the rate of six per centum per annum, upon mortgage or mortgages on real estate; provided that no loan be made on mortgage, unless the premises mortgaged shall be of value at least equal to five times the amount of the monies lent on the security thereof.

The corporation to appoint a water bailiff; damaging piers declared felony; vessels in close harbour must take sails down, yards peaked, sprit sail-yard fore and aft, under penalty of ten pounds. Must slack ropes when directed, none to have their yards square, or booms rigged out, and must have a white person on board; unserviceable vessels not to remain in close

harbour more than three months, vessels obstructing the harbour to forfeit twenty shillings per hour; if damage sustained by anchors left in harbour the vessel to make it good; those damaging vessels liable to such damages and costs; no vessel to be made fast to fender posts or rails, nor to have gunpowder on board, nor light after eight, nor smoking, nor heating pitch, nor fire-works, nor combustible substances; no timber, &c. to remain on piers more than twenty-four hours; no ballast nor dirt to be thrown into the harbour or channel, but removed under direction of the bailiff, all under penalty of ten pounds; no ballast to be taken from piers under penalty of twenty pounds; those cutting ropes or fastenings forfeit twenty pounds; the act contains regulations for recovery of damages and penalties; if the corporation is dissolved the property to be divided among stockholders according to their shares, but the piers, moles, banks, &c. vested in the king.—35 *Geo. 3, c. 34*. A clause in former act limiting duties to a certain period repealed, and an additional duty laid of six pence per ton on vessels, arriving, vessels under twenty-five tons excepted, and an additional half penny per ton per day on vessels in the close harbour, duties recoverable before a justice; the corporation empowered to hold fifty unsold shares, as a fund for redemption of a loan; persons taking stones or ballast from the piers to forfeit one hundred pounds, if done secretly or by night it is declared felony, and transportation; instead of four general meetings per year, one only is to be held on the first Monday of October, but any number of stockholders having forty votes may call a general meeting, giving three weeks notice, at the court-house Montego-Bay; and dividends instead of being quarterly to be annual, on the first Monday in December; directors to be sworn that they will faithfully discharge their trust.—40 *Geo. 3, c. 22*.

MORANT-BAY, *see* ST. THOMAS IN THE EAST.

MORTGAGE.

Mortgagees having received full payment, shall, at the request of the mortgager, enter satisfaction on its margin, which bars all actions; and if they neglect for three months to enter it, shall forfeit to the party fifty pounds for every offence.—33 *Chas. 2, c. 12, s. 4*. Mortgagees in possession are not entitled to commissions but what shall be paid to factors.—24 *Geo. 2, c. 19, s. 8*. Mortgagees may vote for representatives in assembly if in possession for twelve months, if not, the mortgagers vote.—21 *Geo. 3, c. 15, s. 16*. When an action

of ejectment or replevin for recovery is brought for mortgaged land, slaves, tenements, &c. no suit then depending in chancery, if the defendant, while the action is pending, pay or bring into court, all monies and costs due, the court may discharge the mortgagee, and compel mortgage to deliver up. When bills filed, or suits commenced in chancery, to foreclose equity of redemption in failure of payment, and defendant admits right, the court may make order without a regular hearing.—This act not to affect cases where right of redemption is denied, where there are other incumbrances, nor where the right is disputed by different defendants, neither is it to prejudice subsequent incumbrances; mortgagees in possession to record accounts of sales under penalty of five hundred pounds, giving credit within eighteen months after recording, stating how much is applicable to mortgages—25 *Geo. 3, c. 10*. Mortgaged slaves not to be sent off the Island without consent of mortgagee, or by law, under penalty of one hundred pounds, to be paid mortgagee.—36 *Geo. 3, c. 10*.

See ATTORNIES for ESTATES.

MURDER.

Sir Edward Coke defines murder to be “when a person of sound memory and discretion unlawfully killeth any reasonable creature in being, and under the king’s peace, with malice aforethought, either expressed or implied.” Any person feloniously stricken or poisoned upon the sea, or at any place out of the island, and shall die of the same within the island; or, if stricken or poisoned in the island, shall die at sea, or out of the island, in either case, the indictment found by the jurors of the county where such death, stroke, or poisoning, happened, whether before the coroner or a justice of the peace, shall be good against principals and accessaries, and judges and justices of assize may proceed accordingly.—53 *Geo. 3, c. 18*.

MUTUAL DEBTS, see DEBTS.

NAVAL OFFICER

To have an office in Kingston, under penalty of fifty pounds for every month's neglect.—5 *Wm. and Mary* c. 3. And continue his office at Port-Royal under a like penalty, c. 4, s. 7. On order from the governor, to supply foreigners driven in by distress with necessaries at the cheapest rates.—12 *Geo.* 1, c. 11, s. 1. If imported liquors become sour in ten days he is to grant a warrant of survey, and transmit return to receiver-general.—1 *Geo.* 2, c. 1, s. 2. He must register the names of owners of wherries, boats, and canoes, and direct the numbering and marking them, under penalty of five pounds, fee two shillings and six pence.—15 *Geo.* 3, c. 24. And all drogers must be registered in his office.—31 *Geo.* 3, c. 3. And in time of war to examine all vessels for arms and ammunition, and proceed against them in the grand court.—31 *Geo.* 3, c. 11. Not to grant permits for foreign slaves, under penalty of two hundred pounds, unless of a proper description, and to receive five shillings for each permit.—39 *Geo.* 3, c. 29, s. 43, 44. Not to clear out vessels bringing lumber, unless affidavit is produced of its measurement, to file such affidavits, and be paid five shillings for each; his deputies, which he must keep at out-ports, to have same authority as himself, and a salary of seventy pounds per annum each.—51 *Geo.* 3, c. 17.

See ALIENS, CUSTOM-HOUSE, and NAVAL OFFICER, in *Appendix*.

NULLEA BONA, see EXTENT.

 NUISANCE.

A private nuisance is an offence against an individual who may sue for damages, as for making roofs to overhang and throw water over another, obstructing lights, exercising offensive professions, keeping unlawful animals, &c. Public or common nuisances are an offence against all the king's subjects, such as bawdy houses, gaming houses, play houses, erecting gates on highways, or useless bridges, making offensive liquors, great noises, unruly horses, mischievous dogs, a common scold, &c. All such nuisances are indictable, and to be punished by fine and imprisonment.

FORM OF AN INDICTMENT FOR A NUISANCE.

JAMAICA, ss.—*St. Catherine*.

The jurors for our lord the king upon their oath present, that
 A. O. late of in the county of gentleman, on

the day of in the year of the reign
 of and on divers other days and times, as well be-
 fore as afterwards, with force and arms at in the said
 county, [here set forth the nuisance]; and the same (a)
 (nuisance) so as aforesaid done doth yet continue and suffer
 to remain, to the common nuisance of all the lieges and sub-
 jects of our said lord the king, to the evil example of all others
 in the like case offending, and against the peace of our said
 lord the king, his crown and dignity.

OATHS.

The following are the oaths of allegiance, supremacy, and abjuration:

I A. B. do solemnly and sincerely promise and declare, that I will be true and faithful to king George; and do solemnly, sincerely and truly profess, testify, and declare, that I do from my heart abhor, detest and renounce, as impious and heretical, that wicked doctrine and position, that princes excommunicated or deprived by the pope or any authority of the see of Rome may be deposed or murdered by their subjects or any other whatsoever. And I do declare, that no foreign prince, person, prelate, state, or potentate, hath or ought to have any power, jurisdiction, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm.

I A. B. do solemnly, sincerely and truly acknowledge, profess, testify, and declare, that king George is lawful and rightful king of this realm, and of all other his dominions and countries thereunto belonging; and I do solemnly and sincerely declare, that I do not believe that any of the descendants of the person who pretended to be prince of Wales during the life of the late king James the second, and since his decease pretended to be and took upon himself the style and title of king of England, by the name of James the third, or of Scotland, by the name of James the eighth, or the style and title of king of Great Britain, hath any right or title whatsoever to the crown of this realm, or any other the dominions thereunto belonging, and I do renounce and refuse any allegiance or obedience to any of them. And I do solemnly promise that I will be true and faithful, and bear true allegiance to king George, and to him will be faithful, against all traitorous conspiracies and attempts whatsoever, which shall be made against his person, crown, or dignity. And I will do my best endeavour to disclose and make known to king George, and his successors, all treasons and traitorous conspiracies, which I shall know to be against him or any of them. And I will be true and faithful to the succession of the crown against the descendants of the said James, and against all other persons whatsoever, as the same is and stands settled by an act, intituled An act declaring the rights and liberties of the subject, and settling the succession of the crown, to the late queen Anne, and the heirs of her body, being protestants: and as the same, by one other act, intituled An act for the further limitation of the crown, and better securing the rights and liberties of the subject, is and stands settled and entailed, after the decease of the said late queen; and

for default of issue of the said late queen, to the late princess Sophia, electress and duchess dowager of Hanover, and the heirs of her body, being protestants. And all these things I do plainly and sincerely acknowledge, promise, and declare, according to these express words by me spoken, and according to the plain and common sense and understanding of the same words, without any equivocation, mental evasion, or secret reservation whatsoever. And I do make this recognition, acknowledgment, renunciation, and promise, heartily, willingly, and truly.

OLD-HARBOUR, SALT-RIVER, & CLARENDON BAY.

The following duties for keeping these several harbours in repair, to be paid by vessels trading north of the tropic; ships thirty shillings, brigantine or snow fifteen shillings, sloops and schooners ten shillings, and those trading within the tropics one half, to be paid to the receiver-general, who must not clear out vessels until duties paid, under penalty of one hundred pounds, certificates of the harbour-master having performed his duty being previously lodged with him, which masters of vessels must sign under penalty of five pounds. Governor to appoint the harbour-master, who must be sworn; justices and vestry to raise forty pounds per annum, to be paid the harbour-master and twenty pounds for his deputy; he is liable for damages through negligence; in cases of dispute as to mooring, &c. the commissioners settle the same, who are the justices of St. Dorothy, Clarendon, and Vere, or any three of them; masters of vessels throwing ballast overboard forfeit fifty pounds. The harbour-master to take charge of vessels on fire, and a penalty of five hundred pounds is laid on any person obstructing him.—49 Geo. 3, c. 27. Commissioners appointed and incorporated as trustees of Old-Harbour Turnpike, the members of assembly for the parishes of St. Catherine, St. John, St. Dorothy, Clarendon, Vere, St. Elizabeth, and Westmoreland, with Francis Smith, William Ballock, Samuel Smith, William Shand, William Jackson, and others either dead or off the island; and also such others as may from time to time be appointed by the house of assembly. They are to erect a toll, and the following rates to be paid: an ass five pence, every other beast ten pence, every drove of sheep, goats, hogs, exceeding twelve, a dollar; for every carriage five pence per wheel, which toll-keeper may levy on goods for, and sell in four days; trustees empowered to contract for repairs for a term not exceeding three years, appoint a treasurer and toll-keeper, and to regulate them;

they may lease the toll for three years, giving two weeks notice in Royal and St. Jago Gazettes. They are empowered to alter the road, to purchase land, and to borrow money if necessary, at eight per cent. not exceeding eight thousand pounds, redeemable in five years. Trustees may lend and treasurer may receive voluntary subscriptions; persons damaging or destroying turnpike may be imprisoned six months, and trustees may take materials for repairing from land not inclosed; juries may be summoned and those not attending fined ten pounds. Any seven trustees may raise or reduce the rate of the toll on giving one month's notice in Royal and St. Jago Gazettes; toll-keeper demanding higher rates to be fined twenty pounds by any justice, for the use of the road. Carriages of burthen, excepting those drawn by two beasts, to have wheels six inches broad in the felloes, on penalty of having carriages sold for the benefit of the road, and, if toll-keeper permit them to pass, he forfeits twenty pounds, to be recovered in a summary manner, one half to the informer, and the other to the use of the road; all actions must be brought in six months; the trustees empowered to purchase negroes, not exceeding forty, and in value not exceeding six thousand pounds, they may employ an overseer and purchase provision land.—49 Geo. 3, c. 14. The road declared to begin at Spanish-Town and terminate at Old-Harbour Market.—51 Geo. 3, c. 14.

PACKETS

Exempted from Gunpowder duty.—4 *Ann. c. 4, s. 3.* Masters of to give security not to take persons off the island without a ticket from the governor.—45 *Geo. 3, c. 24.*

PARISHES.

The division of the island having taken place, into fifteen parishes, their names confirmed, as follow: St. Thomas, (in the East) St. David, Port-Royal, St. Andrew, St. Catherine, St. Dorothy, St. Thomas in the Valley, Clarendon, Vere, St. John, St. George, St. Mary, St. Ann, St. James, and St. Elizabeth.—33 *Chas. 2, c. 18, s. 12.* Kingston constituted a parish from St. Andrew.—5 *Wm. and Mary, c. 3.* Westmoreland made a parish from St. Elizabeth's.—2 *Ann, c. 1.* Hanover from Westmoreland.—10 *Geo. 1, c. 5.* Portland from St. George and St. Thomas in the East.—10 *Geo. 1, c. 8.* Trelawny from St. James.—14 *Geo. 3, c. 31.* Manchester from Clarendon, Vere, and St. Elizabeth.—55 *Geo. 3, c. 23.* See each under its proper name. Clerk of the patents to keep a distinct book for each parish for plats.—11 *Ann, c. 4, s. 3.* Chief-justice to appoint commissioners in the different parishes to take affidavits for the grand court.—14 *Geo. 2, c. 3.* Empowered to erect gaols where wanting.—14 *Geo. 3, c. 6,* and 16 *Geo. 3, c. 19.* Churchwardens of each parish incorporated for the purpose of recovering taxes.—15 *Geo. 3, c. 8.* Sick transient poor to be passed from parish to parish to Kingston hospital.—17 *Geo. 3, c. 31.* The boundaries of parishes to be as laid down in James Robertson's maps, which are to be recorded and received as evidence in all courts.—50 *Geo. 3, c. 15.* The several parishes empowered to purchase lands, or accept gifts or grants, and the following form of conveyance and assurance prescribed:

I (or we), of , in consideration of the sum of to me (or us) paid, do hereby grant and release to the justices and vestry of all (describing the premises to be conveyed) and all my right, title, and interest to and in the same, and every part thereof, to hold to the said justices and vestry of the said parish of and their successors, to, for, and upon the uses, intents, and purposes of a certain act of the governor, council, and assembly of this island, made and passed in the seventh year of the reign of his majesty king George the fourth, entitled "An act to enable the justices and vestrymen of the

several parishes of this island, by the acquisition and settlement of lands, to furnish relief to paupers, and promote habits of industry among them, to enable the corporation of the city of Kingston, and the justices and vestrymen of the several parishes of this island, to bind out apprentices, and for other purposes." In witness whereof I have hereunto set my hand and seal, this day of in the year of our Lord

Such lands to be laid out in towns, villages, or farms, for the employment of paupers, and the corporation of Kingston and justices and vestry of other parishes empowered to lay out, allot, and regulate them, and to demise, lease, or grant, for a term of years, and declared corporate bodies for the purposes of this act; all deeds exempted from stamp duty. Poor children to be bound apprentices, and any two justices may enquire into their complaints, for and against, and to award punishments; if discharged, to be sent to the house of correction to hard labour for a period not exceeding three months; those absenting themselves shall serve after the term of indentureship, a sufficient time to make it up, and, on refusing to do so, may be apprehended, by warrant of a justice, and sent to house of correction, if within seven years after the term expired; they may be assigned to others to serve out their term; they may be discharged if masters unable to support them; in case of masters' death to be bound out for remainder of term, parish books of apprenticeship to be kept according to a form in the act, and penalties laid on clerks not complying, and for injuring or destroying them, &c. to be open for inspection in peace offices, and searches to be paid for one shilling and eight pence. Convictions to be drawn up as follows:

Be it remembered that on the day of in the year of our Lord A. B. is convicted before us, two of his majesty's justices of the peace for the (specifying the offence and the time and place when and where committed, as the case may be) contrary to an act made in the seventh year of the reign of king George the fourth, entitled "An act to enable the justices and vestrymen of the several parishes of this island, by the acquisition and settlement of lands, to furnish relief for paupers, and promote habits of industry among them, to enable the corporation of the city of Kingston, and the justices and vestrymen of the several parishes of this island, to bind out apprentices, and for other purposes." Given under our hands and seals the day and year above mentioned.

Assignments to be entered in parish books; proceedings cannot be removed into the supreme court; and justices and ves-

tries empowered to lay a tax of one shilling and eight pence on slaves for the purposes of the act.—7 Geo. 4, c. 26.

FORM OF ASSIGNMENT.

Form of the assignment of such a parish apprentice, with the consent of two justices, by indorsement on the indenture or counterpart.

PARISH OF

Be it remembered, that the within named (master or mistress), by and with the consent and approbation of
and *two of his majesty's justices of the peace for*
the said parish, whose names are subscribed to the consent hereunder
written, doth hereby assign *, the apprentice within*
named, unto *(the new master or mistress), to*
serve him or her during the residue of the term within mentioned,
and that he the said (new master or mistress) doth hereby agree to
accept and take the said *as an apprentice for the*
residue of the said term, and doth hereby acknowledge himself or
herself to be bound by the agreements and covenants within men-
tioned on the part of the said (former master), to be done and
performed. In witness whereof, we the said (former master)
and (new master) have hereunto set our hands, this
day of

We, two of his majesty's justices of the peace above mentioned,
do consent thereto. Witness our hands, this *day*
of

{ *), justice of the peace.*
), justice of the peace.

See PARTIES.

PARTIES.

Commanding officers in every parish, on receiving notice of many negroes being runaway, or in rebellion, to raise parties. 11 Wm. 3, c. 1. The governor empowered, when he shall judge expedient, to order out parties of militia, for the suppression of rebellion, or bringing in runaways; they may be drawn from different parishes when necessary, and drafts made from the militia generally; volunteers to receive a bounty of ten pounds, the members of assembly, custos, or senior magistrate, of each parish to be commissioners, with others named for the purposes of this act; who may contract for provisions, press cattle, carts, wains, &c. for the use of the troops or militia; raise shot and baggage negroes, and give notice to estates of their proportions required, and parties refusing to forfeit one hundred pounds. Warrants to be issued for im-

pressing, as also boats, wherries, or other vessels ; and officers commanding parties, when necessary on emergencies, are empowered to impress what may be required, and to grant certificates that the parties furnishing may be compensated ; if slaves are killed or disabled in the service they are to be valued and the owner paid, and those dying in the service to be paid for ; volunteers, if disabled or killed, their families provided for as by 36 Geo. 3, c. 15.—(See FREE PEOPLE and MILITIA.) Parties to have the following pay: commanding officer twenty shillings per day, commissioned officers fifteen shillings, non-commissioned officers seven shillings and six pence, free privates five shillings, baggage slaves three shillings and four pence, to commence from the day they are sent out, and continue until discharged, to be paid by receiver-general, on delivering a muster roll on oath ; fifteen pounds reward is given for each rebellious slave killed, and twenty pounds for each taken alive, and for every runaway ten pounds, and forty shillings if under fourteen years of age, one sixth of the reward to be equally divided among commissioned officers, and the remainder among the non-commissioned officers and privates. Rebellious slaves when taken to be committed to gaol ; officers offending on parties to be tried by a general court-martial, privates by a regimental one ; and those drafted are made subject to trial for refusing to march ; orders of general officers on the staff, by appointment of governor, must be complied with ; and all in service protected from arrest ; all accounts to be attested by the commissioners and audited by the commissioners of accounts, who are empowered to grant certificates bearing interest, who, and all others acting under this law, are indemnified from personal responsibility ; the act of two commissioners to be valid ; officers or justices neglecting duty to forfeit fifty pounds, powers of colonels under militia act not hereby affected.—48 Geo. 3, c. 4. On proper representation of justices and vestry of any parish, the governor may authorise them to fit out parties of slaves to go in pursuit of runaways, to be armed and accoutred at expence of parish, and to have one white person for every twenty slaves ; officers and non-commissioned officers to be appointed by justices and vestry, and paid at the rate stated above in 48 Geo. 3, c. 4, and the same rewards ; slaves to be valued previously to being sent on such parties, and value paid to owner if killed, and if disabled compensation to be given ; justices and vestry empowered to lay a tax to defray expences ; if two or more parishes join, the officer whose warrant, signed by the custos, is of the oldest date, takes the command.—51 Geo. 3, c. 17.

Commanding officers on parties empowered, to procure refreshments not exceeding five shillings for every twenty-four hours for each man, and to impress slaves, wains, carts, cattle, mules, shallops, boats, wherries, or canoes, as may be necessary; and to have same pay as by the preceding act; the commanding officer to grant certificates of value, to be audited by commissioners of accounts.—6 Geo. 4, c. 14.

PARTITION.

After process in partition is returned, and affidavit made of one month's due notice given to the tenant, or his representative, or occupier of premises, or left on the premises, if the parties cannot be found, fourteen days before the court, the court to proceed and examine the title, and quantity of demandant's part and purpart, and give judgment, and award writ of partition, though the tenant does not appear; which, being executed and returned, and final judgment entered, the same shall be good, and conclude all persons; whatever right or title they have, although all are not named in the proceedings, nor the title of the tenant or tenants truly set forth; but an appeal may be made within one year, when, if good cause shewn, the court may suspend judgment, and admit the tenant to plead, and the cause to proceed in due course of law, and, if judgment is given for first demandant, the appellant loses treble costs.—8 Geo. 1, c. 5. When the proveyost-marshall cannot himself attend, he may authorise one of his deputies, by precept, to make partition.—7 Geo. 4, c. 24, s. 21.

PATENTS.

Patents to be enrolled within six months after sealing.—38 Chas. 2, c. 12, s. 7. Irregular ones declared void, especially regarding royal mines, &c. persons at liberty to take up shoal water for the purpose of making wharves or bridges; patents granted to the parish of Port-Royal declared valid, particularly eleven hundred acres of parade land.—35 Chas. 2, c. 12. Being granted under the great seal and recorded, they are good titles to lands, houses, tenements, &c. no misnomer, misbouding, mistaking of quantity, or other error, to prejudice patentees' rights; and when a mistake in quantity a resurvey to be made by a sworn surveyor, on which a confirmation of grant issues, reciting error, and no retrospect as to rent; the judges to determine all disputes.—2 Ann, c. 7. If two or

more patents be granted for same land, the prior patent holds.
10 Ann, c. 12, s. 1.

See REGISTER in CHANCERY.

PERJURY.

Perjury is defined to be a wilful false swearing in any judicial proceeding, in a matter material to the issue in point or question, on a lawful oath, administered by some person of competent authority. To constitute the crime, the falsehood of the oath must be wilful, positive, and corrupt, and must not happen through haste, inadvertence, or weakness. Subornation of perjury is the offence of procuring another to take such false oath as constitutes perjury in the principal. A person convicted of perjury is incapable of being a witness, unless his competency is restored by a pardon under the great seal, or a reversal of judgment. Its punishment is fine, imprisonment, pillory, or transportation; and the British statute 56 Geo. 3, c. 136, which abolishes pillory in all other cases, expressly retains it for cases of perjury.

PIGEONS, see GAME.

PILOTS.

Whosoever presumes to act as a pilot, and cannot produce a regular warrant or appointment, under the hand of the governor, forfeits two hundred pounds. Former warrants declared valid; but in future must be endorsed thereon a certificate from six masters of vessels, to be nominated by the mayor of Kingston, that the pilot possesses ability, as also the following oath before the mayor or senior magistrate:

I, A. B. do swear, that I will faithfully, diligently, and truly, pilot all ships and vessels entrusted to my care, to the best of my skill and knowledge; and that I will not depute or entrust any one to act as a pilot under me, of whose capacity as a pilot I am not fully assured; and that I will not undertake, nor appoint any one under me, to conduct any vessel into or out of any harbour, port, creek, or bay of this island, where I am not, or the person appointed by and under me is not, well acquainted with the channel, shoals, and quays. So help me God.

Any person acting without these endorsements, &c. to forfeit five hundred pounds for every offence; pilots, on being required, must immediately proceed to vessels requiring assistance; those on southside to attend by themselves or servants

one league eastward of Yallahs Bay, and every misconduct under the act to subject them to a penalty of two hundred pounds, besides an action of damages. The rates of pilotage to be as follow: Out of Port-Royal clear of quays or shoals, a ship three pounds; a brigantine or snow forty-five shillings, and a sloop or schooner thirty shillings. Out of Old Harbour clear of quays and shoals, a ship nine pounds, a brigantine or snow four pounds ten shillings, and a sloop or schooner forty-five shillings; out of any other port, harbour, bay, or creek, a ship four pounds ten shillings, a brigantine or snow two pounds five shillings, a sloop or schooner one pound ten shillings; for every day any pilot, or his servant, or slave, is detained on board by the vessels not sailing, six shillings and eight pence in addition; masters of foreign vessels must take the first pilot that offers from Port-Royal to Kingston, or vice versa, on pain of forfeiting the pilotage, which is, a ship three pounds, a brigantine or snow two pounds five shillings, a sloop or schooner one pound ten shillings; all masters of vessels must take the first pilot that offers, or be liable to pay his fee, provided he is qualified; droppers and turtlers excepted from pilotage; differences that arise between masters and pilots to be settled by a justice; and the gunner at Fort Charles is authorised, on affidavit, to detain vessels not having paid the fees, and receive six pence in the pound for his trouble, paying over the remainder to the pilot; from foreign vessels the fees may be demanded before hand; pilots are exempted from militia and parochial duties, but may be compelled to serve in a fort during martial law; penalties to be recovered in supreme and assize courts.—45 Geo. 3, c. 29.

PIRATES.

Piracy declared felony, the offence to be tried in the supreme court, and all treasons, piracies, robberies, murders, or confederacies committed upon the sea, or where the admiral has jurisdiction, to be tried as if committed on land; and commissions to be had under the king's seal, directed to the judges of admiralty, or such persons as the governor may appoint, who have full power to try and punish those harbouring or corresponding with offenders to be prosecuted as confederates, and officers to procure aid and carry offenders to goal, and those resisting may be killed.—38 Char. 2, c. 8. Three fourths of all losses sustained by pirates to be made good by the public.—11 Geo. 1, c. 8. The supreme and assize courts to have concurrent jurisdiction with the court of vice-admiral.

ality over all such offences as above enumerated, and empowered to try all persons as if a special commission had been directed to them; but the governor's power to issue commissions not hereby affected; and a verdict of manslaughter may in future be given in vice-admiralty courts.—50 Geo. 3, c. 14.

PLATE, *see* GOLD and SILVER.

POLL-TAX, *see* Appendix.

POOR.

Persons of no permanent persons wandering about, to be sent from parish to parish to the place of their last abode, unless they have resided three months in the parish where found; church-wardens of each parish, with assent of two justices, were to bind the poor children of the parish apprentices, boys until twenty-one, girls until eighteen, or marriage.—15 Eliz. 2, c. 2.

See PARISHES.

PORT-ANTONIO, *see* PORTLAND.

PORT-HENDERSON, *see* ST. CATHERINE.

PORTLAND.

The lands which now form Portland, formerly a part of St. Thomas in the East and St. George, remaining uncultivated, resumed by the crown where quit-rents remained unpaid, to be granted to new settlers, and owners obliged to make settlements on pain of forfeiture; and as an encouragement forms of escheat dispensed with for three years, quit-rents given up, and settlers not to be taxed for seven years. The lands ordered to be resurveyed, and fifty acres laid out for a town at Pattison's point, a road directed to be made, and commissioners appointed to purchase certain lands near Port-Antonio, to be vested in the crown.—8 Geo. 3, c. 2. Other encouragements are given to new-comers to settle near Manchioneal harbour and Norman's Valley, (now a part of St. Thomas in the East).—9 Geo. 2, c. 4. Such part of thirty thousand acres necessary for settling this parish as not already vested in the crown, hereby is so; restorer general to settle disputes concerning lands, and his decrees to be registered and conclusive; commissioners to pay for lands deducting quit-rents; twenty acres of Ruther's or Lynch's island vested in the crown; and other lands adjoining Port-Antonio, and Pattison's point; the thirty thousand acres to be granted out by the governor to white settlers; five acres of land at Pattison's point with the twenty

acres of Lynch's island laid out for a town, and a common of two hundred and fifty acres assigned to it; surveyors directed and empowered to survey the lands, and new settlers to be free from taxes for three years—9 Geo. 1, c. 8. More lands directed to be purchased for new-comers; the boundaries of the parish fixed north and north-east by the sea, from the mouth of White River to the westward of the mouth of the River Grande; thence directly south the distance of fourteen miles, then east till it meets Swift River, then up the said river about the distance of five miles, then south-east forty-nine degrees to the head of Sulphur river, and from thence in a straight line to White River, and the island called Lynch's island, to be known by the name of Portland; the town to be called Titchfield; and the parish to have the same privileges as all other parishes; and, after three years, to send two representatives to assembly; courts of quarter sessions and common pleas, the pleas every two months, the sessions every three months, to be held at Titchfield; and Port Antonio made a free port of entry and clearance; persons settling in it exempted from arrest for three years; and commissioners to allot lands and settle disputes, provisions for indemnification made in case the act was disallowed.—10 Geo. 1, c. 8. Inhabitants of the island settling in Portland to have the same privileges as new-comers, fifty acres added to the town, and one hundred to the common; persons beginning settlements exempted from taxes three years.—12 Geo. 1, c. 10. Twenty acres of land vested in the crown, for building naval store-houses, and careening ships of war.—3 Geo. 2, c. 1. No persons to sink wrecks or throw any ballast, &c. into the harbour of Port Antonio, under penalty of ten pounds, no stones to be taken from the reefs under a like penalty.—3 Geo. 2, c. 11. Former indulgencies to settlers declared void, and unsettled lands vested in the crown to be regranted; those who obtained subsequent grants and began settlements confirmed in their titles, if they carry them on, Commissioners appointed with sundry powers to enforce givings in and to record them, and to assign forfeited lands; settlement for five years to be a good title; and boundaries of the parish confirmed.—11 Geo. 2, c. 5. Innocent trespasses made good.—19 Geo. 2, c. 13. And if settlers desert lands for seven years, they revert to the crown.—20 Geo. 2, c. 15. Every new settler at Manchester to have a lot of land on the sea shore sixty feet in front and one hundred and fifty in depth.—22 Geo. 2, c. 14. One hundred acres confirmed to those who had settled upon them.—26 Geo. 2, c. 4. Port Antonio made a port of entry and clearance.—31 Geo. 2, c. 19. Lands to be granted in proportion to the number of settlers' negroes not ex-

ceeding five hundred acres, and no grant of two hundred and fifty acres, or less, to be deemed a settlement, unless one white person has resided on it for four years.—17 Geo. 3, c. 26. Lands in future to be vested by patent the same as in other parishes; and those holding them declared free of all restrictions in former acts.—21 Geo. 3, c. 22. The court of common pleas to be held every three months at the same time as quarter sessions.—42 Geo. 3, c. 23. Those not paying taxes deemed transient traders, who are to be taxed two per cent. on their invoices, justices and vestry to elect a collector, whom transient traders must attend in forty-eight hours after arrival, and make oath as to the amount of their goods, and pay the duty or give security, but not to pay in two parishes, nor if they consign their cargoes to a person paying taxes and make affidavit of the same as well as the consignee; if they neglect to attend the collector, they may be summoned, and in case of refusal, five or more magistrates and vestrymen may assess them, not exceeding double what they ought to pay, and levy made by distress and sale, giving ten days' notice of sale; if goods cannot be found they may be fined twenty pounds above assessment by two justices; collector to pay over the monies to churchwardens, deducting commissions, and the churchwardens incorporated, for the purposes of the act.—43 Geo. 3, c. 35.

TITCHFIELD FREE-SCHOOL, PORTLAND.

The governor, four senior privy counsellors, speaker, representatives of Portland, chief-justice, custos, four senior magistrates, churchwardens, vestrymen, and rector, with six inhabitants to be annually elected, when the vestry is elected, made trustees for managing this school, and incorporated, five to be a quorum, and three hundred and fifty acres of land vested in them for erecting the school, their seal to be in possession of custos. (Apollo directing youth to the temple of Fame, erected on a steep hill, Fame sounding a trumpet on the top of the dome, with this motto *virtute et eruditione*.) The commissioners are empowered to build and employ masters to teach reading, writing, arithmetic, Latin, Greek, mathematics, and other learning; trustees to admit scholars, giving those of Titchfield the preference; they may alter and repair buildings, regulate the school, and settle salary of master, &c. they must not keep monies in hand more than thirty days, nor buy or sell to themselves. Persons offending against the act to forfeit five hundred pounds.—26 Geo. 3, c. 7. There is a good house and land occupied by the master of the school, and its present income is six hundred and twenty-three pounds

- twelve shillings and ten pence, the masters salary and allowance for servants two hundred and twenty pounds.

PORT-MORANT, *see* ST. THOMAS in the EAST.

PORT-ROYAL

To have three representatives in assembly.---33 *Chas.* 2, c. 1. No person to build within thirty feet of high water mark, nor farther north than Samuel Bach and Anthony Swimmer; land made out of harbour, or to be made, not to be built upon; regulation as to fires. Landowners in the southern part obliged to build wharves, under penalty of ten pounds a-year.---Church-street annexed to bordering properties; penalty of ten pounds laid on persons taking stones or ballast below high water mark or for throwing ballast into the harbour, no wrecks to be laid up in harbour, and a penalty of two pounds is laid on persons entertaining seamen after the eight o'clock bells are rung.---33 *Chas.* 2, c. 17. Name of Port-Royal confirmed, c. 18. No wherries, boats, or canoes, to pass the fort without notice, under penalty of twenty shillings. No vessel to fire any gun after sunset, under penalty of forty shillings for each gun, except men of war setting the watch, c. 21. Sundry patents of eleven hundred acres of parade land declared valid.---35 *Chas.* 2, c. 12. Justices and vestry empowered to lay a tax for preserving and securing the town, and keeping wharves in repair, regulations made as to buildings destroyed by the earthquake, which must be re-built within three years, or lands forfeited after nine months' notice.---5 *Wm. and Mary*, c. 4. Sundry regulations provided for cleaning streets, &c.---11 *Wm.* 3, c. 4. No more than four pounds of gunpowder to be kept by any person but retailers, who may have one barrel, under penalty of ten pounds, and other regulations for preventing fires.---3 *Ann*, c. 2. No stones, shells, gravel, or sand to be taken from any quays or shoals between one Bush quay, and easternmost quay, or within three miles within or without them, under penalty of forfeiting boats, &c. Stones may be taken to the westward or north westward of the leewardmost channel; no vessel to be sunk but between the round tower and the palisadoes, under penalty of one hundred pounds.---8 *Ann*, c. 9. The churchwardens to receive one hundred and fifty pounds annually out of the revenue for repairing the wall, who, with the justices and vestry, must lay out the money.---4 *Geo.* 1, c. 3. Commissioners appointed to purchase lands to be vested in the crown for a navy yard for careening of ships of war.---7 *Geo.* 2, c. 4, and

14 *Geo. 2, c. 2.* Commissioners appointed to purchase lands for erecting a marine hospital, to be vested in the crown.---
 29 *Geo. 2, c. 18.* Land patented by Joseph Hunt, as churchwarden; for the benefit of the parish, three hundred acres in St. Andrew, bordering on Hunt's Bay, vested in churchwardens for time being, for the benefit of the parish, who are empowered to maintain suits.---8 *Geo. 3, c. 3.* Improper negro huts and houses directed to be pulled down, and regulations concerning others.---11 *Geo. 3, c. 3.* The boundary line between this parish and St. Andrew fixed as follows: to begin a little to eastward of five mile-stone by the side of Kingston harbour, and to run from thence north-east six degrees one hundred and eighty two chains to Hoghole river; from thence north-east thirty-five degrees two hundred and four chains to Yallahs river, and up the said river to its source, being to the main ridge that divides the parish of St. George from St. Andrew and Port-Royal, as by a plat in the secretary's office patent book, lib. 32, folio 232.---14 *Geo. 3, c. 25.* The boundary between this parish and St. David as follows: to begin at the mouth of Bull-Bay River at the sea to the head thereof, then a direct line to the head of Shooting River, and its course until it meets Yallahs River, then the course of Yallahs until it meets Green River, and up that river to its head, thence north until it meets the ridge of a mountain, the reputed line of St. George.---23 *Geo. 3, c. 15.* Commissioners appointed to purchase lands and buildings for the use of naval hospital.---39 *Geo. 3, c. 10.* Justices and vestry to appoint a nightly watch, provide a guard-house and make regulations; the guard must patrol the streets, apprehend disorderly persons, and slaves without tickets, from nine in the evening until five in the morning, bell to be rung at nine; the guard indemnified in legal proceedings. Workhouse negroes to be employed in repairing and cleansing the streets, under direction of justices and vestry; inhabitants to furnish additional slaves, if necessary; persons throwing offensive things into the streets, or keeping putrid provisions for sale, to forfeit ten pounds, and provisions to be destroyed; if canoes, boats, casks, &c. are left in streets after notice given to remove them, they may be stove, and the wood carried to the workhouse for fire-wood by order of a justice; mechanical machines not to remain in streets under penalty of five pounds; justices empowered to enforce act against hawkers and pedlars, (*See HAWKERS*) and constables not doing their duty in regard to them forfeit fifty shillings. Hogs infesting the streets to be destroyed; no person to retail liquors without a license, who must give bond to keep good order in their shops, which may be open from six

to eight, but none to have licenses who are not residents and paid taxes; fire buckets to be kept as follow: to contain two gallons and a half, persons assessed from twenty to thirty pounds two buckets, and two negroes; from thirty to forty pounds three buckets and three negroes; from fifty to sixty pounds four, and four negroes; from sixty to one hundred pounds five, and five negroes, and one bucket and one negro for every additional twenty pounds, under penalty of two pounds for each bucket deficient; justices and vestry to provide three engines and reward those first at fires with ten pounds, second five pounds, and empowered to assess taxes for the purposes of this act; they must appoint five firewardens and swear them in, who must act, under penalty of twenty pounds, and have sole direction at fires; all assisting exempted from judicial process; to examine engines monthly, and buckets every three months; they may direct blowing up of houses, and if fire thereby stopped, the owner to be indemnified, but not for the house where the fire began; justices and vestry to regulate the assize of bread, which must be marked, under penalty of twenty shillings for each ounce or mark deficient; a justice, vestryman, and constable, to inspect bake-houses once a month. Justices and vestry to regulate wherries, canoes, &c. and their fares, they must be numbered and registered, with owner's name, and number marked upon them, and must have five men each; the magistrates and vestry made a body corporate for the purposes of this act; no fresh meat, fish, &c. to be exposed for sale but in the market place, under penalty of forty shillings and forfeiture of meat, all vegetables, salted provisions, meals, flour, rice, &c. only to be exposed for sale in market place, under penalty of twenty shillings.—41 Geo. 3, c. 21. A parcel of land containing eleven hundred acres, formerly patented for the parish, and made valid by 35 Chas. 2, s. 12, vested in representatives in assembly and churchwardens to be sold, and the purchase money vested for the benefit of the parish, and the justices and vestry incorporated. Purchasers of such lands shall not erect buildings thereon, extending more than one hundred and forty feet to the southward of high water mark, or exceeding twenty feet in height, nor will they be entitled to any remuneration if they are destroyed by order of government, when necessary for defence or protection; on the part purchased by A. Donaldson, no buildings to be erected but what are necessary for containing naval victualling stores, and for accommodation of agents, clerks, and labourers, but not within five hundred yards of the foot of the glacis. The governor empowered to occupy any part of the lands for forts or fortifications, except where buildings may be erected.—

41-Geo. 3, c. 30. Commissioners appointed and empowered to purchase lands and buildings for the preservation of the dock-yard—56 Geo. 3, c. 25. Also for purchasing land for the use of the naval hospital.—59 Geo. 3, c. 14.

PORTS OF ENTRY AND CLEARANCE.

Kingston, Savanna-la-Mar, Montego-Bay, and Port-Antonia, made free ports of entry and clearance, and receiver-general, naval officer, and secretary, and collector of customs, to have deputies at each, to act as they would do themselves, and to have seventy pounds each salary, vessels arriving to pay gunpowder duty.—31 Geo. 2, c. 19. Lucia, St. Ann's Bay, Morant-Bay, Port-Maria, and Falmouth, made free ports.—51 Geo. 3, c. 17.

POSSESSION.

Possession of lands, houses, &c. derived from sales or valuable considerations, declared valid, if peaceable possession has been had for seven years, without claim or interruption.—33 Chas. 2, c. 22. Devises by aliens confirmed.—35 Chas. 2, c. 3. Persons in possession of lands, &c. or negroes, held five years without interruption, shall hold as an estate of inheritance, and plead such possession in bar of all actions, except against incapable persons, who must bring their action in three years after competent.—10 Wm. 3, c. 1. The time of possession made seven years, on same conditions, by 10 Ann. c. 12. Persons holding lands, tenements, negroes, &c. by virtue of any deed, will, or conveyance, or any patent for which quit-rent has been paid for twenty years, though it or the assignment be lost, and in quiet possession for seven years, are confirmed in their possession, except against incapable persons, but who must bring their actions in three years after capable. Mortgagees, lessees, attornies, guardians, &c. cannot claim under this act. Persons beginning a new settlement, and by mistake falling on an elder run of land, to pay the proprietor the value not exceeding forty shillings per acre for so much as he has settled, valuation to be made by a justice and two freeholders, but, if conveyance be refused when valuation paid, the settler to hold possession.—4 Geo. 2, c. 4. Doubts having arisen as to the first part of the preceding act, it is declared to mean that all and every person who then held, or should thereafter hold, quiet possession in manner described, for seven

years, either by themselves, or those under whom they claim, or settled by mistake, shall hold the same against all persons whatsoever.—14 Geo. 3, c. 5. Possessors of slaves, by sales on writs of venditioni exponas, or other writ or process, or their issue, who continue in peaceable possession for several years, hold them in fee simple, except against incapable persons, who must bring actions in five years after capable.—Those having titles in reversion, remainder, or expectancy, may prosecute in five years after their titles accrue; those in possession of slaves twelve months in right of marshal's sales, descent, marriage, or purchase, are not liable to pay hire.—23 Geo. 3, c. 13.

POST ROADS.

The following are the Post roads :—

Windward.—Distance from Kingston to St. David 19 miles, St. David to Blue-Mountain 8, Blue-Mountain to Morant-Bay 8, Morant-Bay to Port-Morant 7, Port-Morant to Bath 6, Bath to Amity-Hall 7, Amity-Hall to Manchioneal 9; total 64.

Northside to Port Antonio.—Distance from Kingston to Annotto-Bay 30 miles, Annotto-Bay to Buff-Bay 10, Buff-Bay to Hope-Bay 10, Hope-Bay to Port Antonio 10; total 60.

Northside to Port Maria.—Distance from Kingston to Highgate 38 miles, Highgate to Port-Maria 10; total 42.

Northside to Green-Island.—Distance from Kingston to Spanish-Town 13 miles, Spanish-Town to Rodney-Hall 14, Rodney-Hall to the Moneague 15, the Moneague to St. Ann's 15, St. Ann's to Dry-Harbour 14, Dry-Harbour to Rio-Bueno 5, Rio-Bueno to Falmouth 17, Falmouth to Little-River 12, Little-River to Montego-Bay 11, Montego-Bay to Flint-River 12, Flint-River to Lucre 11, Lucre to Green-Island 12; total 151.

Southside to Savanna-la-Mar.—Distance from Kingston to Spanish-Town 13 miles, Spanish-Town to Old-Harbour 12, Old-Harbour to Clarendon 12, Clarendon to Green-Pond 16, Green-Pond to May-Hill 5, May-Hill to the Gutters 5, the Gutters to Goshen 5, Goshen to Lacovia 12, Lacovia to Black-River 12, Black-River to Robin's River 16, Robin's River to Savanna-la-Mar 16; total 124.

POUNDS.

Justices and vestry of every parish empowered to erect pounds and appoint poundkeepers, to receive strays, and pay one shilling and three pence per mile for each stray from the place where it was taken up; justices, &c. empowered to lay a tax for expence of erecting pounds not exceeding one hundred pounds, and to pay poundkeeper a sum not exceeding

fifty pounds per annum, whom they have power to remove when they think proper. Those not impounding strays in forty-eight hours after taken up to forfeit five pounds, and if poundkeeper do not immediately pay mile-money he may be summoned before a magistrate and fined five pounds, to be recovered by warrant of distress. Books of strays must be kept, and open for inspection of any person, under penalty of forty shillings, and they must be advertised for three months, under penalty of ten pounds for every omission; if poundkeepers do not furnish sufficient food and water they forfeit ten pounds for every offence. On strays being claimed the mile money must be returned, and one shilling and three pence per day for their keep, and if poundkeeper works them or hires them out he forfeits ten pounds. Slaves bringing strays must produce a certificate from their owner or employer before the mile-money is paid, describing the stray and the distance sent. If the strays are not claimed in three months, application to be made to a justice, who must direct one month's notice, to be advertised, that such strays will be sold if not taken out, when they must be sold for the best price that can be had, and the proceeds paid over to the churchwarden, for the use of the poor, after deducting all expences, and a commission of one shilling in the pound, in twelve hours after sale, under penalty of forfeiting double the sum for which the stray was sold. Poundkeepers must live in the pound, or some white person, constantly, under penalty of forty shillings for each absence when strays are sent, also recoverable before a justice, but no unpound beast must be received, all penalties to be recovered before a justice, and by warrant of distress if not paid.—89 Geo. 3, c. 13. The mile-money on asses reduced to seven pence half penny per mile, and the support to ten pence per day, and they may be sold if not claimed in one month, and advertised for two weeks in the county paper; persons rescuing a stray, to forfeit five pounds, recoverable before a justice. Poundkeeper purchasing strays at sales, besides relinquishing the purchase, forfeit ten pounds, recoverable before a justice.—58 Geo. 3, c. 28.

PRIVILEGES, *see* FREE PERSONS.

PRIVATEERS, *see* PIRATES.

PRIORITY.

Judgments of the supreme court, and those taken in the assize courts immediately following, have the same right of priority.—31 Geo. 2, c. 4, s. 19. Provost-marshal to keep back al-

phabets of priorities, and what levies made each court liable to every writ, fee for inspection one shilling and three pence, under penalty of five hundred pounds.—21 *Geo. 3, c. 23, s. 4.* Writs for quit-rent bonds to have priority of all others.—24 *Geo. 3, c. 11, s. 8,* and 29 *Geo. 3, c. 12, s. 11.* Levies for emblements not to be applied to prior writs against persons in reversion or remainder.—25 *Geo. 3, c. 1, s. 7.* Not to be obtained by the rule of executors unfairly pleaded.—29 *Geo. 3, c. 13, s. 3.* Not to affect debts of twenty pounds in the precinct of St. Catherine.—31 *Geo. 3, c. 24.*

PRIZE GOODS.

Prize goods liable to payment of all duties; no sugar, rum, taffia, coffee, must be sold for exportation, under penalty of one thousand pounds. Prize agents to give bond to receiver-general for payment of duties; registrar of admiralty and agents to send a copy of sales of duteable goods to receiver-general, under penalty of five hundred pounds, and, in case of exportation, duties to be refunded.—43 *Geo. 3, c. 10.*

PUBLIC HOSPITAL, *see* KINGSTON.

PROBATES.

Deeds, conveyances, letters of attorney, executed in Great Britain, proved before the chief magistrate of any city, town, or borough, under its common seal, to be as effectual as if proved in the island, as well as those executed in Ireland: or in British colonies, under the seal of the colony.—24 *Geo. 2, c. 9.* Deeds proved under a disallowed act declared valid.—1 *Geo. 3, c. 20.* Deeds executed in America, and verified before a British Consul, or before the chief-justice of any state, to be valid; women under coverture to be examined apart from their husbands; probates of wills exemplified under the seal of any of the states declared valid.—34 *Geo. 3, c. 11.* All deeds, &c. executed in colonies, &c. proved before the governor or commander-in-chief, and certified under the public seal, or his own private seal if there be no public one, with an attestation annexed that there is no public one, declared valid; those executed in foreign states to be acknowledged before the king's ambassador, or envoy, consul, or vice-consul, under his private seal, also declared good, wife to be examined separately from her husband.—42 *Geo. 3, c. 26.*

See DEEDS.

PROCESS.

Chancery process, except attachments, may be served by any person.—10 *Ann.* c. 4, s. 24. To be filed in the office of clerk of the court, in eight days after the court meets, and receipts must be given for seized goods by marshals.—8 *Geo.* 2, c. 5, s. 8, 14. Persons assisting in extinguishing fires are exempted from it, also all jurors on writs of emblements, extent, &c. as also freeholders at elections of members in assembly, churchwardens and vestrymen; and justices, vestrymen, and clerks of vestry, when on parochial business. Jurors, witnesses, &c. at slave courts. Magistrates, jurors, clerk of peace, &c. laying out highways, &c.—See under these various heads. Martial law not to occasion any discontinuation of process, but all actions to stand continued on recognizances respited, and all writs to be deemed returned, and judgments obtained in subsequent courts to have same priority.—17 *Geo.* 3, c. 1.

See PROCESS in *Appendix*, COURTS, and PROVOST-MARSHAL.

PRODUCE.

Persons buying or receiving any from a slave, or any person but the owner or known factor, to forfeit ten pounds for every offence, and suffer corporal punishment, not exceeding twenty lashes, if convicted before two justices.—8 *Geo.* 2, c. 6. Slaves selling produce, sugar canes, &c. to receive thirty-nine lashes and forfeit the articles; maroons not to sell coffee unless superintendent swears it is the produce of maroon lands; slaves having produce in their possession without a ticket to be whipped, and produce forfeited; no person to purchase produce of slaves under penalty of fifty pounds, and may be prosecuted as receivers of stolen goods; coffee not to be sold in less quantities than one hundred lbs. nor sugar and pimenta under fifty lbs. without a license, under penalty of one hundred pounds, but this not to prevent proprietors, &c. from selling any quantity to a neighbour. When sales of coffee take place above one hundred lbs. weight, oath to be made that it is the actual growth and produce of the place, its name, and situation, the name of proprietor or person in possession, the name of the person purchasing, the time of sale, and quantity; and also set forth the capacity in which deponent swears; purchasers without such certificate to forfeit the produce as also one hundred pounds, and, if transferred, oath to be made that it is the very same coffee mentioned in the oath of the grower; which oath must be annexed to the first one, or a verified copy,

and shall specify the name of purchaser, the time, and quantity; the coffee to be forfeited, and one hundred pounds by both purchaser and seller, if it is transferred without such oath; factors empowered to make the oath, and may sell it in parcels, under similar penalties for neglect; licenses for sale of produce to be granted by justices and vestry, on affidavit, being made that the parties will not purchase produce from slaves, or, without a certificate, from others; those offending to forfeit license, and be incapable; licenses to be for one year, and clerks of vestry to have thirteen shillings and four pence for making one out; retailers to give in quarterly an account of all produce purchased and sold, under penalty of one hundred pounds, and the quantity purchased under penalty of fifty pounds. Slaves not to carry provisions on horses, &c. without a ticket, or be subjected to thirty-nine lashes under order of a justice; penalties above fifty pounds to be recovered by action of debt, all under before two justices.---50 Geo. 3, c. 20. Shippers of coffee to lodge with naval officer a duplicate of oath of growth required by an act of parliament of 5 Geo. 2, and of certificates required by the foregoing acts, and an oath stating in what capacity the shipper is connected with such shipment, as actual grower, attorney, &c. but if by purchase then he must make the following oath, besides lodging the certificates, under penalty of one hundred pounds:

That all and every part of the coffee in the within duplicate affidavit or affirmation mentioned was truly and bona fide sold to me by of the parish of , in this island, and that the certificate or certificates hereunto annexed, being in number , are all and every the certificates which were received by me on my purchasing the said coffee, or, to my knowledge, were necessary to be asked for by me, or ought to have been given to me, by the person from whom I purchased the same, in compliance with the seventh and eighth sections of the act of the legislature of this island, made and passed in the fiftieth year of the reign of his late majesty George the third, chapter twenty, and that I do believe the same certificates, and every of them, to be true and genuine in every respect, and that the coffee mentioned in the within duplicate affidavit or affirmation is the same identical coffee as that intended to be certified by the said other certificates, hereunto annexed, so received by me on purchasing the same.

Shippers of foreign coffee to lodge with naval officer an affidavit stating its weight, marks, and description, in what ship imported, and that it contains no mixture of coffee the growth of this island, as also an oath by the shipper that it is the same coffee, under a like penalty; the act also contains sundry regulations as to the mode of clearing out vessels, and the naval officer to make quarterly returns to the vestries of every parish

where the produce was grown, and justices and vestry to prosecute offenders when discovered; falsely swearing declared perjury, and forging, or altering certificates, affidavits, &c. punishable by fine of five hundred pounds and twelve months imprisonment; justices neglecting their duty to forfeit fifty pounds.---2 Geo. 4, c. 22.

PROMISSORY NOTE.

A promissory note is a direct engagement in writing to pay a certain sum, within a limited time, or on demand, to the persons therein named, to bearer, or his order. No formal set of words are necessary. A note merely promising to account with another, or his order, for a certain sum, *value received*, is a valid note though it contains no promise to pay. The following is the usual form:

Spanish-Town, January 1, 1828.

£.50

Three months after date I promise to pay to Mr. Edward Strong, or order, the sum of fifty pounds, for value received.

Thomas Brown.

A note beginning "I promise to pay" and signed by two or more persons is a several as well as a joint note, and the parties may be sued jointly or separately; or the same if it begin "we jointly and severally promise," but if it be simply "we promise to pay" it is a joint note only.

See BONDS, NOTES:

PROVOST-MARSHAL.

Provost-Marshall and deputies shall serve all summonses fourteen days before the courts, and ten days in Port-Royal, now also fourteen, by 8 Geo. 2, c. 5, otherwise defendant not bound to appear; replevins, foreign attachments, warrants of arrest to be served at any time; no execution to be taken out, or executed until twenty-eight days after judgment, and no negroes belonging to a plantation to be taken in execution where goods can be had; persons having their goods levied on may have the disposal of them, but, if they delay the sale until ten days before the next court, the marshal must proceed to sell them; where only negroes, cattle, &c. can be had, they remain with defendant until venditioni issue, by virtue of which they must be sold, but no levy to be made on plantation stock or negroes, if the defendant deliver any other stock or cattle,

on a pet; if damages happen by goods in defendant's possession, they are to be borne by him; defect may not be taken upon though defendant in custody of provost-marshal make default improperly or demand mile-money he forfeits one hundred pounds, to be recovered in any court of record. 433 *Obisic*; 28, c. 10 to 16 and 19, 20. In case of the death of the provost-marshal, or removal, his successor empowered to return process served, and act in every thing as his predecessor, provided he has given security and qualified himself. 10 *Ann*, c. 4, s. 6. This act also establishes fees now altered; clerks of crown and pleas must make returns to him of all arrests of fines, and he must deliver copies to the attorney-general, to obtain process for levying, which he must do in twenty-one days; and he must pay all fines to the receiver-general in twenty days, under penalty of one hundred pounds; 14 *Ann*, c. 4, s. 34. Allowed for mile-money in St. Catherine nine pence, St. Dorothy two shillings and nine pence, Clarendon seven shillings and nine pence, Vere seven shillings, St. Elizabeth seventeen shillings and six pence, Westmoreland one pound eleven shillings and three pence, Hanover one pound eleven shillings and six pence, St. John three shillings, St. Thomas in the Vale four shillings, St. Andrew eleven shillings and six pence, St. James twenty shillings, St. Mary eight shillings and nine pence, Port-Royal three shillings, Kingston four shillings and six pence, St. David nine shillings and three pence, St. Thomas in the East sixteen shillings, St. Andrew four shillings, St. George eleven shillings and nine pence, Portland fifteen shillings and three pence, for serving summonses, arrests, *stare facias*, replevin, or other process, besides two shillings and six pence for serving each writ; for bail or replevin bonds he is to take five shillings each, a writ of *ne exeat insula*, ten shillings, and bond thereon, five shillings; executing a bench warrant ten shillings, and mile-money one shilling per mile; for every warrant ten shillings and mile-money; no *nota bene* to be inserted in sales of negroes to injure such sales; notice must be given to defendants of levies made, fees to be taken in proportion to the sum satisfied; writs lodged in due time to have equal effect, those not proceeded on for a year have no force against such as have been lodged; on writs no more effects to be sold than sufficient to pay the debts, costs, &c. and if more sold the surplus to be returned in ten days; particulars of levies to be described in all returns and filed in clerk of courts' office in eight days from the meeting of the court; slaves to be sold singly, unless when there are fami-

lives, consisting of a man and his wife, and their childrens working cattle must be sold by the couple, and all other cattle, horses, mares, and mules singly: when more than one execution is lodged, no more fees shall be demanded than for the real debt and costs: writs to be endorsed with the sum really due by the plaintiff or his attorney; if attornies officiously and without orders mark them for a greater sum they forfeit one hundred pounds, and are rendered incapable of practising; a deputy-marshal to be appointed to each precinct; marshals must give defendants receipts, if demanded, for levies, specifying every slave, or goods, chattels, &c.; slaves, stock, &c. taken on any writ to be sold in fourteen days. — See *PROCESSES* in *appendix*.) Summonses in Port-Royal to be delivered fourteen days before each court; for every offence against this act the provost-marshal, or his deputies, forfeit twenty pounds even and above other penalties mentioned; to be recovered by action of debt. — 8 Geo. 2, c. 15. Writs to be endorsed by the plaintiff, his assignee, or attorney, whose power is recorded, or by executors, administrators, or other legal representative, or the attorney at law by order in writing; if marked intentionally for a greater sum than due, the offender forfeit one hundred pounds, as well as being rendered incapable of practising, if an attorney at law; and if the provost-marshal execute or suffer writs to be lodged without being endorsed, he forfeits one hundred pounds, penalties to the parties injured, who must sue for the same. — 24 Geo. 2, c. 16. Provost-marshal must once before the first Monday of September, deliver to the attorney and receiver-general an account of all process, wherein the king has a claim, and in thirty days pay the annuities required to the receiver-general, under penalty of two hundred pounds. If such money by him received, or his deputy, and certified and extracted, or returned levied, and not by him paid, he is liable to same process as any crown debtor. — 1 Geo. 3, c. 13, s. 7, 8. He must in ten days after every grand court return into the clerk of court's office a list of all writs satisfied, under penalty of five hundred pounds; and the clerk of the court, under a like penalty return a certificate to provost-marshal of all satisfactions entered in his office, who must enter such satisfactions in his books under penalty of one hundred pounds for each neglect, receiving two shillings and six pence for each satisfaction. — 14 Geo. 3, c. 28, s. 15, 16. No person to execute the office until he enters into recognizance before the chief-justice, himself in twenty thousand pounds and two sureties in five thousand pounds each, for the faithful discharge of his duty, under a penalty of one thousand pounds for neglect, and being rendered incapable of holding the office. — 15 Geo. 3,

2. 5. He must without delay send warrants for constables to apprehend offenders in elections. 31 Geo. 3. c. 35, s. 2. All present writs directed to either satisfaction on all judgments which have been discharged, within three months the persons lodging writs to pay two shillings and six pence for each, which shall be sufficient for entering satisfaction also, which provost-marshal must deliver, under penalty of five hundred pounds. He shall keep back alphabets of priorities, with all returns of levies, under penalty of five hundred pounds, to be open for inspection, for one shilling and three pence each search, and he forfeits ten thousand pounds if he takes away or destroys them. 31 Geo. 3. c. 35, s. 1, 2, 4. He is to apply monies raised on any levies or writs of execution where plaintiff and defendant reside in the precinct of St. Catherine, and the debt not exceeding twenty pounds to such plaintiff, and not to priority. 31 Geo. 3. c. 24. A writ of execution to be quashed or set aside, in respect of a precept not having issued, or notice given as formerly, but every writ shall be deemed valid, although a precept may not have issued and no notice given; when lodged, in future, in provost-marshal's office they shall be returned "Lapsed," without any precept or precepts issuing thereon, or any notice given. 37 Geo. 3. c. 26. Before the first day of every grand court, deputy marshals to make returns to provost-marshal of all writs of summons returnable in such court, whereon precepts have come to his hands, which provost-marshal must return into the office of the clerk of the court; in case of non-compliance not being served, the deputy must assign the cause on oath, under a penalty not exceeding fifty pounds, he may be examined in open court, and may be made to pay all costs. The provost-marshal must make returns on the first day of court of all writs of summons to the clerk of court, and the causes of non-service, under a penalty not exceeding fifty pounds and payment of costs. Deputies to make returns to provost-marshal on first day of court, of all writs of vendition, whether executed or not, with the causes of non-execution, or why a levy is not to the full amount; he must set forth on oath when the writs came to his hands, when the levy was made, and why not sold, under a penalty not exceeding fifty pounds, they may be examined in open court and obliged to pay costs. The provost-marshal must return, by second Monday in each court, all returnable writs, with particulars of non-execution or short execution, with causes assigned, under penalty not exceeding fifty pounds and costs; he is allowed until the second Friday of the court to apportion levies to priority; he is subject to a fine not exceeding one hundred pounds, for refusing to pay any monies in his hands when applied for by the proper party,

and, under an order of court, pay at the rate of ten per cent. per annum on the amount refused, as well as costs; in case of default under this ~~or any other act he may be fined at discretion of court not exceeding one hundred pounds and costs; but not exempted from higher penalties, nor from suitors claims;~~ in four weeks after each court he must deliver to clerk of court a schedule, on oath, of all levies returned, pointing out their application, as also of monies remaining in his hands from former courts, and to what applicable, which schedules the clerk of court must record; the provost-marshal to be paid by receiver-general fifteen pounds for each, and the clerk of the court five pounds. In default, provost-marshal to forfeit four hundred pounds, and the clerk of the court two hundred pounds. Parties moving for prosecutions against the provost-marshal or his deputies, if they fail, to pay all costs; if payment of his fees are refused, or delayed, he may recover them by an order of court against attornies, with six per cent. interest, but this does not prevent him from adopting another remedy.—48 Geo. 3, c. 20. In case of the death or insufficiency of his securities he must find fresh ones.—4 Geo. 4, c. 12. If he die on or before return day, the several deputies to continue in office and execute all process until another provost-marshal is sworn in, and all securities to remain; and all returns of process to be made in the name of the deceased provost-marshal, until another is appointed; and to be signed by the deputies, except writs of *certiorari* and writs of execution, which must be signed by the person authorised by such deceased provost-marshal to issue precepts, but who is entitled to no additional emolument.—5 Geo. 4, c. 13.

See ARRESTS, BAIL-BONDS, COSTS OF INCREASE, COURTS, SUPREMACY and ASSIZE, EMBLEMENT, ERROR, EXTENT, JUDGMENTS, JURORS, QUIT-RENTS, REPLEVIN.

PUBLIC BUILDINGS.

Commissioners appointed for erecting the building now containing the supreme court-house, house of assembly, and other public offices, in St. Jago de la Vega, and six thousand pounds appropriated for that purpose.—17 Geo. 2, c. 9. Rodney's temple in St. Jago de la Vega directed to be built by 30 Geo. 3, c. 21, placed under the management of the board of works.—38 Geo. 3, c. 21. Board of works empowered to erect a building in St. Jago de la Vega, to contain a grand jury-room for the county of Middlesex, parochial offices for St. Catherine,

and sundry committee rooms; on the southside of the square opposite the king's house, and a tax laid on the county of Middlesex and parish of St. Catherine for that purpose.—

58 Geo. 3, c. 17. Land adjoining the king's house to be purchased by board of works, for the erection of negro houses.

—58 Geo. 3, c. 26.

See BOARD of WORKS in Appendix.

The governor, with advice of privy council, may order vessels coming from places judged infectious under quarantine in such places as he may appoint by proclamation; no person of any part of cargo ~~may~~ be landed or put on board another vessel, unless by license from governor, and those receiving persons or goods must be under a like quarantine; vessels coming from suspected places to be examined by naval officer, collector, &c, as appointed by the governor, and if found infectious to be put under quarantine, and, in case of resistance may be compelled; masters of them not making a true declaration guilty of felony, or not making true discovery, to forfeit five hundred pounds. Officers appointed to cause all orders to be enforced; masters quitting their vessels, or suffering others to quit, or offending against regulations, to forfeit five hundred pounds for each offence, besides forfeiture of vessel: persons quitting the vessel may be forcibly returned, and liable to imprisonment and a penalty of two hundred pounds. Goods on board subject to any order of governor; persons disobeying quarantine orders or attempting to escape, and refusing to return, deemed guilty of felony; officers to call assistance if necessary; those entering vessels, &c, where infected persons are must remain under quarantine; and those conveying letters, goods, &c, from them to suffer death, as also watchmen deserting their posts, wilfully suffering escapes, or giving false certificates; governor, with advice of council, to fix places of quarantine, and officers with salaries to enforce regulations, expences to be paid by the receiver-general, and those neglecting their duty to forfeit five hundred pounds. On proof on oath that quarantine has been duly performed, and the vessel free of infection she is liable to no further detention; in actions under this act defendant may plead the general issue.—

¶1 Geo. 3, c. 16,

QUIT-RENTS.

Land patented before twenty-fifth June, 1671, to pay one shilling yearly for every thirty acres, and so in proportion for parcels under one hundred acres; for every hundred acres two shillings and six pence, and proportionably for a greater quantity; for all lands granted afterwards a half-penny per acre, and for

foot-land a half-penny per foot for two sides of the square added together; in consequence of the destruction of papers by the earthquake of 1692 all previous quit-rents discharged; lands may be surrendered by delivering up patents, &c. to clerk of chancery, which discharges quit-rents, and the lands may be re-granted.—2 *Ann.* c. 7. Secretary of island to transmit a docket of all conveyances of land recorded to receiver-general.—8 *Geo.* 1, c. 4. Quit-rents to be applied solely to the support of the government of this island.—1 *Geo.* 2, c. 1. Sundry regulations as to collection and payment at this time, and regulations as to forfeited lands.—(See *ESCHUATS*). Secretary to keep books for each parish, to record receipts, &c.—6 *Geo.* 2, c. 7. Twelve per cent. interest added to quit-rents three years due.—13 *Geo.* 2, c. 7. Lands of absentees not paying quit-rents to be forfeited on information, quit-rents being paid up by informant, and a bond entered into to settle the lands; the attorney-general on seeing the receipt for quit-rents to issue his *fiat* to the clerk of court, to issue writs of enquiry and other proceedings under this act, by jury, whose return must be proclaimed in two successive supreme and assize courts, when judgment passes and patent issues, if no claimant appears; if a traverser appears, he must give security to refund the quit-rents to the relator before his claim is filed; evidence may be given by relator to disprove the existence of assets; but this act to have no retrospective effect; lands of absentees if quit-rents unpaid for twenty years, may be forfeited, although paid previously; if conditions on which lands are granted are not fulfilled, they are forfeited.—9 *Geo.* 13, c. 19. Quit-rents due before January 1, 1760, and interest to November 1, 1784, acquitted, bonds may be given for all due after, and proceedings on them regulated; those neglecting subjected to an interest of twelve per cent. after three years, besides a penalty of one hundred pounds. This act contains also sundry regulations as to collection, &c.—24 *Geo.* 3, c. 11. Discount of fifteen per cent. allowed to those who complied with former act, but could not get accounts settled, if paid by a certain time; number of acres to be given in on oath under forfeiture of one hundred pounds, besides being assessed; duties of collecting constables, clerks, justices, and vestry imposed under penalties.—30 *Geo.* 3, c. 14. Owners, &c. to give in to the vestry of the parish where they reside or where their effects may be; receiver-general to transmit to clerks of vestry arrearage rolls, who must deliver them, with the usual warrants annexed, to the collecting constables; those paying by first June following to be allowed a discount of fifteen per cent.—31 *Geo.* 3, c. 18.

RACES, *see* *Appendix*.

RATIONS, *see* *TROOPS, Subsistence of*.

RECEIVER-GENERAL

Must keep his office in Kingston, under a monthly penalty of fifty pounds, and another in Port-Royal.—6 *Wm. and Mary*, c. 3, 4. To administer quit-rent oaths and have all fines, forfeitures, &c. paid to him.—8 *Wm.* 3, c. 1. He is to enquire after quit-rents and have a particular return of all transfers of land, and to keep duplicates of revenue books; all under penalty of five hundred pounds.—2 *Ann*, c. 7. His fees in 1711.—16 *Ann*, c. 4. Secretary to send him dockets of all deaths and patents of lands.—8 *Geo.* 1, c. 4. He must supply powder to Fort Charles when required; to have full powers to collect the revenue. (*See* *REVENUE*).—1 *Geo.* 2, c. 1. Provost-marshal, clerks of peace, &c. to transmit to him an account of all fines, forfeitures, &c. which he must enter in a book, and an account of future fines to be sent to him in ten days after every court.—6 *Geo.* 2, c. 7. To take escheat bonds on being paid ten shillings, and charge them against the obligees for which he must grant a certificate to be produced to clerk of patents.—31 *Geo.* 2, c. 18. (*See* *FINES and QUIR. REVERS.*) He must pay the rations of troops out of any money in his hands.—30 *Geo.* 3, c. 9. From first January, 1802, he is granted a salary of seven thousand pounds in lieu of commissions, payable quarterly, but still entitled to commissions on monies collected under the Revenue law of 1728.—41 *Geo.* 3, c. 10. He must have deputies at out-ports.—31 *Geo.* 2, c. 19; 51 *Geo.* 3, c. 17.

See *PORTS of ENTRY and CLEARANCE*.

See *FINES, SMUGGLING, QUIT-RENTS, and COMMISSIONERS of ACCOUNTS, in Appendix*.

RECEIVERS of STOLEN GOODS, *see* *STOLEN GOODS*.

RECOGNIZANCE.

The law has provided this method for the prevention of crimes, as well as punishing them when committed. A recognizance is an obligation, with one or more sureties, entered in to before a court, or a magistrate, to do some specified act, as to appear at the sessions, keep the peace, &c. In default the recognizance is forfeited to the king. Any justice may demand security upon due cause shewn, at his own discretion. Wives may demand it against their husbands, and husbands against their wives. Justices may bind over for good manners

as well as the peace. When articles of the peace are exhibited against any person, there ought to be a reasonable foundation to induce a fear of personal danger before sureties of the peace are required. The following is the form of taking recognizances:

JAMAICA, ss.

Be it remembered this day of 182 personally appeared before me of the parish of
and of the parish of
and severally acknowledged themselves to be indebted to our sovereign lord the king, and his heirs and successors in the sum of and in the sum of of current money of Jamaica, to be made and levied on their goods and chattels, lands and tenements respectively, to the use of our sovereign lord the king, his heirs and successors, in default of the following condition:

The condition of the above written recognizance is such, that if the above bound do and shall personally appear at the next court of quarter sessions, for the parish of or shall for the space of calendar months keep the peace towards all his majesty's liege subjects, and particularly towards of the parish of and that he do not depart the court without leave, then the within recognizance to be void, otherwise to be in force.

Taken and recognised before me, this

day of 182

It is usual to endorse the recognizance on the back of a warrant, as follows:

The within named A. B. bound to appear at the next court of quarter sessions (or peace office) on the day of to answer to the within complaint A. B. in the sum of

Taken and recognised before me C. D. his security, in this day of

RECORDS.

Secretary and clerk of court to examine them and direct them to be substantially bound, new copies to be made, and the clerk of patents to have a distinct book for each parish to copy patents into and keep alphabets, &c.--11 Ann. c. 4. Those who steal them, make false entries in them, or erase

them, in any public office, to be punished as if the fact had been committed in England. The records to be deemed sufficient evidence in every court of law as if originals.---1 Geo. 2, c. 5. Transcripts lately made, declared valid when attested by secretary, who must keep records in good repair at his own cost, giving security in five thousand pounds.---11 Geo. 2, c. 4.

See SECRETARY, REGISTER IN CHANCERY, CLERK OF COURT, PROVOST-MARSHAL, RECEIVER-GENERAL.

REGISTER IN CHANCERY AND CLERK OF PATENTS.

Clerk of the patents may accept regular surrender of lands, and give a certificate thereof, which being acknowledged by him before the governor, or one of the judges, and recorded, shall be deemed a total resignation, and the person acquitted from all growing rents, and the lands may be re-granted.---8 Wm. 3, c. 1, s. 3, and 2 Ann, c. 7, s. 10. Fees as fixed 1711, he must tax bills of costs in chancery, and if he allow more than settled by the act, he forfeits five hundred pounds.---10 Ann, c. 4. Copies and transcripts of records lately made declared valid, after being attested.---23 Geo. 2, c. 12. He must not issue patents for testaments till he receives certificates from the receiver-general that bonds have been entered into.---31 Geo. 2, c. 18. Transcripts of six books when attested declared valid; he must keep all books in good order, at his own cost, under penalty of five hundred pounds, and obliged to transcribe and keep in good order those made during the time he has officiated, and required, under penalty of two thousand pounds, before his entrance in office, to give bond, with security that he will, at his own cost, keep the records in order, which shall be made during the time he officiates, he must examine all transcripts and attest them, under penalty of five hundred pounds; an inventory to be made of the records, at the public expence, and such inventories to be delivered to successors in office, to be signed by the new register and the one delivering possession, and a copy sent to the secretary's office, under penalty of five hundred pounds. Papers lodged in his office to be recorded within ninety days, under penalty of fifty pounds for every neglect, all penalties recoverable by action of debt.---9 Geo. 3, c. 17. He must not enter upon office until he has entered into recognizance with two sureties, himself in five thousand pounds and his sureties two thousand five hundred pounds each, before the chief-justice, for the faithful discharge of his duty, under penalty of one thousand pounds.---

15 Geo. 3, c. 7. His fees fixed as follow: For registering or recording every bill, answer, masters' report, or any other proceeding, two shillings and six pence per sheet, reckoning one hundred and sixty words to a sheet, and counting every figure for a word in accounts, but without allowing any thing for ruling columns, for dates, and sums; for making copies of all bills, answers, masters' reports, or any other proceedings, at the same rate of two shillings and six pence per sheet, reckoned and regulated as aforesaid; for entering or filing all proceedings, one shilling and three pence; recording an order of court, two shillings and six pence; if above one hundred and sixty words, at the rate of two shillings and six pence for the legal sheet; copying ditto, at the same rate; recording suggestions, replications, and rejoinders, three shillings and nine pence each; filing and presenting a petition to the chancellor, fifteen shillings and seven pence half-penny; entering an appearance, one shilling and three pence; certificate of no proceedings, and all other common certificates, two shillings and six pence; for receiving money lodged in court, preserving and paying it out, per pound six pence; making out a list of filings for the solicitor's bill of costs, eight shillings and one penny half-penny; taxing a master's bill, one pound five shillings; examining and signing a final decree to be enrolled in the office, one pound five shillings; a certificate of appeal to proceedings under the seal of the island, one pound five shillings; letters of guardianship, petition, recognizance, clerk's fee, and all other expences (the governor's fee excepted), six pounds five shillings; entering satisfaction on final decrees, five shillings; amending bills, five shillings, and, if exceeding two legal sheets, at the legal rate of recording per sheet; entering into a rule of court, five shillings; carrying records into court, five shillings; a commission to examine witnesses, and all other commissions, twelve shillings and six pence; *dedimus* to take an answer, twelve shillings and six pence; making out a subpoena, per rate of legal sheet; attachments, two shillings and six pence; attachments with proclamation, five shillings; a commission of rebellion, twelve shillings and six pence; a sergeant at arms, twelve shillings and six pence; a sequestration, twelve shillings and six pence; a subpoena, *scire facias*, one pound five shillings; a writ of execution, where the decree is inserted, one pound five shillings; a writ of assistance, one pound five shillings; a writ of *ne execr insula*, one pound five shillings; a writ of *habeas corpus*, one pound five shillings; a writ of error, one pound five shillings; a writ of injunction, one pound five shillings; a writ of *certiorari*, five shillings; a writ of *superedeas*, one pound five shillings; a writ of *ad*

pointment, of bailiff to the crown, six pounds five shillings; a protection bond, making out and signing a protection, including the order and clerk's fee, and all other charges, one pound five shillings; making out all other customary bonds, one pound five shillings; also a recognizance, where the decree is inserted, one pound five shillings; drawing and engrossing a commission *de lunatico inquirendo*, six pounds five shillings; also of oyer and terminer, six pounds five shillings; also of a patent of pardon, five shillings; for every writ of election, one pound five shillings; a writ for electing a coroner, six pounds five shillings; a patent of king's land, one pound five shillings; for land taken up on the quit-rent, one pound seventeen shillings and six pence; for land or negroes escheated, two pounds ten shillings; for confirmation two pounds ten shillings; a copy of a plat of land, two shillings and six pence; a copy of the surveyor's return to the plat, two shillings and six pence; entering a caveat, two shillings and six pence; a citation to shew cause against the same, five shillings; a certificate of each parcel of land resigned, five shillings; a patent for surplusage land, also for foot-land, not included in the old table, one pound five shillings each. A table of above fees to be fixed up in his office, under penalty of one hundred pounds, and if greater or other fees demanded a like penalty to be recovered before two justices, or by action of debt, besides being rendered incapable; all persons to have access to the office, and to make searches and extracts, paying two shillings and six pence for every three hours, under penalty of fifty pounds for interruption; masters' reports, returns of commission, or other proceeding, to be immediately entered in the file book, fee one shilling and three pence, under penalty of fifty pounds. No person obliged to take copies, unless agreeable to the party, to pay for a copy, and if register refuse to file on any pretence, except non-payment of fees, he forfeits fifty pounds. All bills, answers, &c. to be recorded in ninety days, and all copies bespoke to be furnished in fourteen days, under a like penalty; by himself or clerk he must examine all records, and make affidavit, before the chief, or an assistant judge, once, in six months, that they are true and faithful copies, to be certified by the judge on the last page of each record. A penalty of fifty pounds is inflicted on neglect, and swearing falsely declared perjury. This office to be open from seven until three, under penalty of fifty pounds. Solicitors and masters in chancery to reckon, or cause to be reckoned, the lines and words in engrossed bills, &c. to be sworn to before a master in chancery, his fee one shilling and three pence, and the solicitor to charge five shillings for the affidavit and three shillings and

four pence for every ten legal sheets, for trouble in counting &c. and the register to charge for the number of sheets sworn to, under penalty of fifty pounds, unless he can shew a mistake in the affidavit; solicitors lodging proceedings without affidavit to forfeit fifty pounds; register must enter into recognizance, himself in twenty thousand pounds, with two sureties in the sum of ten thousand pounds each before the chief-justice for the performance of his duties, (in place of the recognizance required by 15 Geo. 3, c. 7,) and must enter into bond for two thousand pounds to the effect directed by 9 Geo. 3, c. 17; and if he enter into office without such securities he forfeits one thousand pounds, and is rendered incapable; penalties not exceeding one hundred pounds to be recovered in a summary manner before two justices, those exceeding in the supreme court.—60 Geo. 3, c. 21. All monies paid into court of chancery to be paid into the hands of the receiver-general for the use of the public, who must give a receipt, and if it remain more than three months, to bear an interest of five per cent. from the day in which it shall have been paid to him, and made demandable from him by an order of court, for which he is entitled to five shillings for the receipt, and five shillings for examining; commissions of register and governor's secretary not hereby affected on sums for and during the continuance of the present register's term; monies at present in the chancery chest to be paid over to receiver-general; after twenty-first January, 1828, no commissions to be allowed to register or governor's secretary; receiver-general to give security in ten thousand pounds.—4 Geo. 4, c. 21.

REGISTRY of SLAVES, *see* SLAVE REGISTRY.

RENT.

The law of England has been observed in this island as to the mode of recovering rent that is due, and which furnishes several methods of recovering it, viz: 1. By action of law; 2. By ejectment; 3. By distress on the premises, which is most commonly resorted to. A distress is of the nature of a pledge, and consists in taking some moveable into custody till satisfaction be obtained. In general, all chattels found on the premises, whether the property of a tenant or a stranger, may be distrained. But dogs, and things of a wild nature, things on the premises by way of trade, the tools and implements of trade in actual use; wearing apparel on the back, a beast at plough, or a horse a man is riding upon, also loose money; none of which can be taken in distress; goods of a principal in

the hands of a factor, or consigned to a wharfinger, are also privileged from distress. Distresses must be proportioned to the debt, taking unreasonable distress as an ox for a shilling subjects the party so taking to a fine. Distress must be in the day time and not till the day after the rent is due. By British statute 11 Geo. 2, c. 19, goods fraudulently conveyed off the premises, to avoid distress or arrears of rent, may be seized any where within thirty days, unless bona fide sold to those not privy to the fraud.

By a statute of this island, 25 Geo. 3, c. 7, "for the better securing the payment of rents, and preventing frauds by tenants," it is enacted, that tenants holding possession of lands, tenements, slaves, &c. for a term of life or years, and holding after the term expires, after demand made, shall pay double rent for the time they so hold, to be recovered by action of debt, and no relief can be had in a court of equity, where the agreement is not by deed to be recovered by an action on the case, and a verbal agreement, if proved, to be evidence as to damages; his lessor or landlord having only an estate for life dies, his executors, &c. may recover by action up to the day of death; in case of tenants giving notice to quit, and shall not deliver possession at the time, they pay double rent for the time they so continue in possession.—25 Geo. 3, c. 7. A rent charge arising from lands or houses, which pay public and parochial taxes, constitutes a freehold, and confers a right of voting for members in assembly.—21 Geo. 3, c. 15, s. 7.

The following is a form of distress for rent :

JAMAICA, ss.

Whereas complaint on oath hath been made unto me by
of the that
was on the indebted unto him
in the sum of for
rent of a house and premises in the town of
which still remains due and unpaid.

These are therefore in his majesty's name to require and authorise you, every or any of you, to levy by distress, on the goods and chattels of the said to the amount of the said debt for house rent, together with the charges, and the same to expose for sale for payment, first giving five days public notice of such sale, returning the overplus (if any) to and you are to make a return of what you shall do herein to the office of the clerk of the peace: hereof fail not.

Given under my hand and seal this day of

To all and every lawful constable

REPLEVIN.

Writs of replevin may be served at any time.—33 *Chas. 2*, s. 23, s. 10. Twenty days allowed for their being brought for slaves taken under venditioni exponas, on affidavit being served on marshal that they are another person's property.—9 *Geo. 3*, c. 13. When replevined property is produced in court, in obedience to writ, or subsequent process, or a rule of court, and the trial put off on motion of plaintiff, or defendant not having custody of the slaves, the court may at discretion award recompense, and compel payment by attachment or otherwise; if produced in court after an eloignment on replevin, or a *nulla bona* on a writ of *withernam*, or *non est inventus*, on a writ of *copias in withernam*, shall be returned, no recompense to be allowed to the party producing them in the court wherein either of those returns are made, although the plaintiff should not go to trial in that court. When the person not having custody of the property gives notice in writing to the party having custody six days before the court, that he intends to come to trial, and the slaves, &c. be produced at the court immediately ensuing, no recompense is to be given. When slaves are in custody, and trial put off, the fees to be paid by the party on whose motion it is put off. When defendant obtains judgment, or plaintiff nonsuited, the court may award recompense, besides costs of suit, and compel payment by a summary mode.—30 *Geo. 3*, c. 2. Titles to slaves to be tried in action of ejectment only, s. 1; and it is no longer necessary in actions of replevin to make the affidavit required by former laws concerning possession; the declaration in ejectment to be filed in clerk of court's office, and a copy on tenant in possession; upon proof of service, judgment to be given by default against the tenant, unless he appear to confess lease, entry, and ouster, and plead not guilty, s. 2. If tenant shall not have the slaves in possession, he may plead in abatement as to such slaves as are not in his possession: affidavit of the truth of such plea must be made and annexed thereto: if verdict given against plaintiff, and it appear to the court that the action was instituted maliciously, plaintiff to be liable to pay double costs to the defendant, s. 3. If such plea is pleaded only as to part of the slaves comprised in the declaration, the action may be proceeded in as to the residue, s. 4. Lessor and agents of, and witnesses for, the plaintiff, are to have access to slaves comprised in the declaration, giving notice to the defendant or his attorney; and if access is refused, after such notice, judgment may be given against defendant as to the slaves to whom access is refused, or such as are not comprised in the plea in abatement, s. 5. If any material witness for the plaintiff re-

facts to view and inspect such slaves, after notice in writing, the court may proceed against such witness as if he had not obeyed a writ of subpoena, s. 6. For executing and enforcing judgment, a writ of possession, and a writ of execution for the costs of suit, are to be issued and lodged, and provost-marshal or deputy may enter any close, &c. by force, and call forth the power of the county to his assistance: if slaves are withheld, or the marshal hindered from executing the writ of possession, the court may proceed against offender by fine and imprisonment: any person preventing such writ from being executed, to be proceeded against as in case of contempt of court, which may further impose a penalty upon defendant, not exceeding fifty pounds for each slave, to be levied by provost-marshal or deputy, s. 7. On complaint to supreme court that writ of possession has been erroneously executed, the court must proceed to do what to right and justice shall appertain, s. 8. Writ of error brought on judgment (the usual security being first given) to stay execution; provided security be given pursuant to 17 Geo. 3, c. 46, and that writ of error be subject to provisions in said act as to mesne profits; also that inquiry and judgment of mesne profits shall not be of damages by waste, but of damages generally after judgment, s. 9. For replevin for slaves, depending on thirty-first December, 1801, actions in ejectment may be substituted under this act, and judgment be given against defendant, unless he shall appear, confess lease, &c. and plead not guilty: proviso, similar to that contained in clause three, if eloignement not returned, and defendant be not in contempt: proviso, that if defendant be in contempt, he may be proceeded against as if the one action had not been substituted for the other, s. 10. Actions of ejectment, substituted under this act, subject to regulations, &c. concerning ejectments for slaves, s. 11. Supreme court to make rules, &c. touching proceedings under this act, but not repugnant to the regulations hereby made, s. 12. In actions of replevin against provost-marshal or collecting constable, for slaves levied on, it shall not be necessary for the plaintiff to give other evidence of title than possession; but it shall be incumbent on the person defending such action to sustain the validity of the levy or distress, s. 13. No replevin to issue against provost-marshal or deputy, for slaves levied on under writs of venditioni, without affidavit that plaintiff is not liable for the debt for which the levy is made, and that such replevin is not brought for delaying the effect of writs of venditioni, but for protecting the right and interest of some person, other than the person liable to pay such debts, in the slaves named in such replevin; such affidavit to be annexed to, and filed with, the declaration in the cause, s. 14.—42 Geo. 3, c. 21.

REVENUE.

After a long and severe struggle, which took place with the government in regard to revenue, and the passing of acts, from 1678 to 1728, an act was passed, which settled all differences, by which the following duties were established as a perpetual revenue to the crown: Spanish and Madeira wines six pounds per ton; wines the growth of the western isles or Azores twelve pounds per ton; French, Rhenish, or Portugal wines five pounds. Every gallon of brandy, arrack, or other spirits eighteen pence; every ton or cask of bottled beer, ale, or cyder forty shillings; every ton of mum or metheglen three pounds; every pound weight of refined sugar six pence; every hundred weight of muscovado or pannel sugar three shillings, every pound of tobacco four pence; every pound of indigo or cotton three pence; every hundred weight of cocoa in vessels not belonging to the island twenty shillings. The duties to be paid in ten days or security given, with an allowance of ten per cent. for leakage and prompt payment; if liquors turn sour the naval officer may grant a warrant of survey to be returned in twenty-five days. If importer refuse or delay payment, he forfeits the ten per cent. and, if sued for, to pay ten per cent. interest; oath to be made that the wines were taken in at Madeira, otherwise duties imposed as on Azores wines; vessels to pay also a gunpowder duty, in kind, of one pound of gunpowder per ton, and those trading south of the tropic one pound of powder per ton annually; no money to be received in lieu thereof under penalty of five hundred pounds (by an annual act one shilling per ton is now taken in lieu of gunpowder). Masters, &c. of vessels to give in an account of their cargoes to receiver-general in forty-eight hours after arrival on oath, under penalty of five hundred pounds. Goods put on shore without paying duty or lodging security forfeited; receiver-general to have the same powers as officers of the customs, and to receive five per cent. for all collections under this act; retailers of spirits to pay five pounds annually; new settlers importing produce for their own use to be reimbursed the duties; twelve hundred and fifty pounds to be appropriated annually to forts and fortifications; and the receiver-general to keep a book of same open to inspection without fee, and to give in on oath, when required by the governor, council, and assembly, when sitting, or any committee by them, or either of them, appointed, an account of all disbursements, and to give bond in five thousand pounds for performance of his duty, all under penalty of twenty-five hundred pounds; he must pay no part of the twelve hundred and fifty pounds without a warrant from the governor, with the advice and consent of the

council, under penalty of treble the sum paid; penalties to be one-third to the king, one-third to the governor, and one-third to the party suing; if deficiency happens in the under-mentioned estimate, the assembly to make it good, and if a surplus over eight thousand pounds to be applied to such uses as by law may be directed. All acts and laws which expired on the first day of October, 1724, or by any act now in force altered or repealed, hereby revived and declared perpetual; and also all such laws and statutes of England as have been at any time esteemed, introduced, used, accepted, or received, as laws in this island, shall and are hereby declared to be and continue laws of this his majesty's island of Jamaica, for ever.—
1 Geo. 2, c. 1.

ESTIMATE OF THE PRESENT BRANCHES OF HIS MAJESTY'S
REVENUE, AND THE SEVERAL HEADS OF THE PRESENT
EXPENCES CHARGEABLE ON THE SAID REVENUE.

<i>Charges on the revenue.</i>		<i>Dr.</i>		
		£.	s.	d.
To the captain-general's salary	-	2500	0	0
To the forts and fortifications	-	1250	0	0
To the chief-justice's salary	-	120	0	0
To the officers and gunners of Fort Charles, viz.				
To the captain, 6s. <i>per diem</i>	-	109	10	0
The lieutenant, 4s. 6d.	-	82	2	6
Twelve mountresses in actual service, at 2s. 6d. <i>per diem</i> , to be inhabitants of Port-Royal, and continually resident there, and not to be enlisted in either of the independent companies	-	547	10	0
The armourer	-	40	0	0
For water	-	24	0	0
		803	2	6
To the captain of the train in Spanish-Town	-	45	12	6
To the auditor-general, 150 <i>l.</i> sterling, at 35 per cent. <i>exch.</i>	-	202	10	0
To waiter's salary	-	120	0	0
To several ordinary charges, viz. public buildings, attorney-general's fees, clerk of the council, provost-marshal, clerk of the crown, clerk of the chancery, for issuing writs of election, deputy-marshal for prisoners, executing writs of election, receiver-general's commission, king's evidence, and other small expences, computed at a medium for nine years past, <i>per annum</i>	-	2300	0	0
To contingent charges, <i>per annum</i>	-	568	15	0
		8000	0	0

<i>Branches of the revenue.</i>	<i>Cr.</i>	<i>£.</i>	<i>s.</i>	<i>d.</i>
By impost at a mediun of nine years last	-	2966	2	1
By quit-rents	-	1460	14	3
By fines, forfeitures, and escheats	-	487	13	3
By wine licenses	-	200	0	0
By gunpowder	-	257	2	11
By a new impost, including indigo, at 3d. per pound, and sugar at 3s. per hundred, at a moderate computation	}	3000	0	0
		<hr/>		
		8371	12	6

The sum of two thousand pounds added and the revenue made ten thousand pounds, and all surplus to be applied in aid of appropriations of money in money-bills.—35 *Geo.* 3, c. 9.

RIO COBRE.

In consequence of injuries sustained by a hurricane, and having nearly lost its old channel, commissioners appointed for altering its course, and removing obstructions, to keep up the communication between Spanish-Town, Kingston, and St. Andrew, they were empowered to survey overflowed lands, to appoint surveyors, to press negroes, &c. and levy a tax to pay expences.—10 *Geo.* 1, c. 7.

See FERRY ROAD.

RIO MINHO.

Commissioners appointed to build a bridge over it—
2 *Geo.* 4, c. 20.

RIO NOVA, *see* ST. MARY'S.

ROADS, *see* HIGHWAYS.

ROBERTSON'S MAPS, *see* COUNTIES, PARISHES.

RULE of EXECUTORS, *see* EXECUTORS.

ST. ANDREW'S PARISH

To have two representatives in assembly.—33 *Chas. 2, c. 1*. This name given in 1677 confirmed by 33 *Chas. 2, c. 18*.—A part of it next the harbour declared a distinct parish by the name of Kingston.—5 *Wm. and Mary, c. 3*. Axtell's pen, adjoining the harbour, purchased in the name of the king for the purpose of erecting a marine hospital, known by the name of Greenwich hospital.—13 *Geo. 2, c. 11*. Dividing line between this parish and Kingston fixed. (*See KINGSTON*).—39 *Geo. 3, c. 84*. There being six hundred acres of glebe land, the rectors for the time being empowered to grant leases for twenty-one years for the best rents can be had, but no other consideration to be taken, and the leases valid notwithstanding the death or removal of rector; rectors to receive no reward or fee, excepting rent, on consideration of granting leases, under penalty of forfeiting treble the value of such fee, and a penalty of fifty pounds, and leases so granted to be void, and the land to be rented out for the benefit of the poor during the life of the rector so acting, who is for ever deprived of the power of granting such leases; no new leases to be granted until the old ones expire or otherwise determined; previous to granting leases, the rector must make oath that he will receive no fee or reward for granting such leases, other than rent reserved to himself and successors; and that he will do nothing to prejudice his successors, and the oath to be recorded in vestry books; thirty acres bounding north on the old churchyard and easterly on the glebe, reserved for the use of the rector, and not to be leased.—18 *Geo. 3, c. 8*. Three hundred acres at Hunt's Bay vested in churchwardens of Port-Royal, the same having been patented by Joseph Hunt, churchwarden of Port-Royal, for the benefit of that parish.—3 *Geo. 3, c. 3*. The dividing line between this parish and Port-Royal fixed as described under article Port-Royal, which see.—14 *Geo. 3, c. 25*.

ST. ANDREW'S FREE-SCHOOL.

A free-school established, on two and a half acres of land at Halfway-Tree, and buildings, given by Nicholas Laws, esq. under the name of St. Andrew's free-school, to instruct in Latin, Greek, Hebrew, arithmetic, merchants' accounts, and mathematics, the children of St. Andrew and Kingston, or those settling five pounds per annum, or paying fifty pounds for the improvement of the school. Seven governors appointed who must chuse their successors, as vacancies take place, who are incorporated, with power to lease, appoint teachers, receive scholars, supply vacancies, and repair buildings, and to

form regulations for the school, and if a vacancy of a governor is not supplied in three months the governor of the island may appoint.—7 *Wm. 3, c. 1.*

ST. ANN'S PARISH

To send two members to assembly.—33 *Chas. 2, c. 1.* Name confirmed.—33 *Chas. 2, c. 18.* Sundry plat books lately transcribed declared valid records.—9 *Geo. 3, c. 17.* Forty acres of land at Rio Bueno vested in crown for erecting a barrack.—10 *Geo. 2, c. 6.* Commissioners appointed to make Voces road from Windsor estate to Bellgrove plantation a carriage road, and to erect turnpikes to pay expence.—40 *Geo. 3, c. 34.* A tax laid on transient traders of two per cent. on invoices, justices and vestry to elect a collector, before whom they must appear and take oath, in forty-eight hours after arrival, as to the amount of invoice, and pay duty, or give bond with security, provided they have not already paid in another parish, or, if they consign their cargoes to an inhabitant paying taxes, the consigner and consignee must both make oath of the fact, when the tax must be remitted; if the transient trader neglect to attend, the collector to summon him, and on refusal give notice to any five magistrates and vestrymen, who may assess him not exceeding double the duty, and levy the same by distress and sale, giving ten days' notice of sale, on which collector is entitled to commissions, if distraint cannot be had the party may be fined twenty pounds and imprisoned; persons swearing falsely guilty of perjury; collector to pay over to churchwardens, deducting such commission as they may allow him; persons offending against the act to forfeit twenty pounds, and churchwardens incorporated for its purposes.—44 *Geo. 3, c. 17.* Rates of wharfage fixed, same as at Falmouth, which see.—45 *Geo. 3, c. 28.* Justices and vestry made a corporate body, to sue and be sued, &c. and empowered to employ a surveyor and town clerk, eight a quorum, of which two must be justices and six vestrymen, and when summoned must attend, under a penalty of twenty pounds, if a sufficient number do not attend; housekeepers to be provided with fire buckets, forty pounds rent to have two with one person to carry; sixty pounds rent to have four buckets and two persons; one hundred pounds rent and upwards to have six buckets and three persons, under penalty of forty shillings for each bucket deficient. Justices and vestry to keep fire-engines in repair and hire a person to take care of them; captains of engines first at a fire to have ten pounds,

second five pounds. Firewardens to be elected and sworn in annually, those refusing to act forfeit twenty pounds. They are to have the sole direction at fires, to which they and constables must immediately repair; they must inspect fire-engines every month, under penalty of twenty pounds. Houses may be pulled down and paid for if thereby the fire is stopped, except the house where the fire began; they must also inspect the town yearly, and inform the justices of all dangerous places, who must cause such nuisances to be removed; parties refusing to be indicted; no persons to discharge fire arms in the town, or within half a mile thereof, under penalty of twenty shillings for each discharge, if by a slave the arms forfeited, and himself sent to workhouse, to be punished by law; no person to deposit filth or rubbish in any part of the town, under penalty of twenty shillings; justices to cause open lots to be inclosed; liquor shops to be open from six to six, workhouse negroes to clean the streets, remove filth, &c.; the justices authorised to drain swampy lands near the town, at the expence of the possessor, if he refuses to do so, on notice given; those obstructing the orders of justices, to forfeit one hundred pounds; no putrid or rancid provisions to be exposed to sale, but to be destroyed; justices to appoint persons to superintend the market, which must be open from six till four, the stalls to be rented, and no cattle to be slaughtered but in places appointed by justices and vestry, under penalty of ten pounds. Justices empowered to grant warrants for the sale of goods belonging to hawkers and pedlars, and constables to seize them, under penalty of five pounds. Justices and vestry empowered to purchase and sell lands for purposes of a market place, and to make alterations and improvements in the town; to lay a tax for the purposes of this act not exceeding one thousand pounds per annum; penalties not exceeding twenty pounds recoverable before a justice, above that sum by action of debt, persons aggrieved may sue by writ of *certiorari*; suits must be commenced within twelve months.—46 *Geo. 3*, c. 26. The barrack vested in the justices and vestry to be sold for the benefit of the parish.—48 *Geo. 3*, c. 14. St. Ann's Bay being made a free port by an act of parliament the justices and vestry empowered to purchase land at Windsor point, to be vested in the king, for the purpose of raising Fort Coote, as a fort on the island establishment.—48 *Geo. 3*, c. 22. Justices and vestry empowered to cut a new channel for the Seville River, but not within ten chains of the mill of Seville estate, to build bridges, to enforce sales of land wanted, and to indemnify and save harmless damages occasioned on the estate to the owner; those throwing earth, stones, &c. into the chan-

nel to forfeit one hundred pounds. Those offering obstructions to forfeit one hundred pounds. Constables in default to forfeit twenty-five pounds; the justices and vestry to keep the harbour in good order and remove obstructions, and a tax not exceeding one thousand pounds to be raised for the purposes of this act.—48 *Geo. 3, c. 23.* Being made a port of entry and clearance deputies appointed to this port.—51 *Geo. 3, c. 17.* The governor empowered to form a regiment of militia, to be called the “*St. Ann’s Western Regiment*,” in the district described as follows: to the line with Trelawny on the west, and on said parish and Clarendon to the south, and from the sea coast on the north by a line from Flat Point estate south easterly to the intersection of the great interior road at Little Kent, and thence by a southerly line to the boundary of the parish, and a diagram to be recorded. The regiment to be under same regulations as the militia generally; to have one colonel, one lieutenant-colonel, and one major; and one captain, one lieutenant, and one ensign to each company; one chaplain, (the rector) one adjutant, one quartermaster, one surgeon, and one judge-advocate, to be appointed by commission; and one serjeant-major, two quarter-master sergeants, one drummajor, one marshal, and one secretary, by warrant of colonel. The regiment to have only six companies, unless the companies exceed sixty rank and file.—8 *Geo. 4, c. 20.*

ST. ANN’S OR JAMAICA FREE-SCHOOL.

Charles Drax, formerly of this parish, having, in the year 1721, bequeathed a specific property called Shelton, for the endowment of a free-school, and established regulations for the same, subjecting all his estates in this island to the support thereof, in case of the insufficiency of Shelton, and his intent never having been carried into effect, the justices and vestry of St. Ann empowered to lay a tax not exceeding seven thousand pounds, for the purpose of enforcing the will of Drax, exempting the lands of Wm. Beckford from such tax, the suit being against him.—38 *Geo. 3, c. 27.* A suit having been instituted against William Beckford, and a compromise having been effected that the trustees should accept eleven thousand two hundred pounds, with interest, in full of all claims; trustees appointed to manage the school, and lay out the fund, and to execute all proper deeds; to erect buildings, purchase lands, &c. and other regulations, superseded by the provisions of the following act; if funds insufficient the parish may contribute five hundred pounds annually.—43 *Geo. 3, c. 32.* The trustees having purchased Walton pen, with suitable buildings thereon, the whole invested in the trustees herein named, for

the purposes of a free grammar school, and named "The Jamaica Free-School." The trustees to be the governor, the president, and members of the council, the speaker, and members of the assembly, the chief-justice, the attorney-general, and twelve others named in the act, and in case of death or absence of any of such twelve, the governor, president, speaker, chief-justice, and attorney-general, or any three of them, upon notice from two trustees, may nominate successors; the trustees incorporated under the name of "The Trustees and Governors of the Jamaica Free-School." With full powers for managing all its affairs, receiving and laying out donations and bequests, purchasing and selling slaves or hereditaments; empowered to treat with trustees under charitable donations for the foundation of schools, and where they have not been executed for three years, the transfer may be enforced upon notice signed by the speaker, the chief-justice, and attorney-general, or any two of them. Trustees to invest all monies in the hands of the receiver-general, and to receive an interest of eight per cent. Justices and vestry of St Ann may recommend ten scholars when in vestry assembled; persons giving three thousand pounds or three hundred pounds per annum, become trustees, and have the right of nominating three scholars, and may convey their rights by deed or will for ever; and so in proportion for every thousand pounds, or one hundred pounds per annum; and also convey rights by deed or will; for every thousand pounds assigned by a trustee, there shall be a right of recommending one scholar, to be exercised by the person certified to be entitled by the speaker, chief-justice, and attorney-general, or any two of them. Trustees to meet once in every year, or any seven of them, on Tuesday in every Easter week, to examine into abuses or irregularities, and correct them, with power to remove or suspend the master; and must meet annually in Spanish-Town, during the sitting of the legislature, for the purpose of examining into the state of the school, and for giving orders and directions, and making laws for its government. Extraordinary meetings may be called, when deemed necessary, by any three of the trustees, at the school-house, by public advertisement; head and other masters to be elected by the trustees, but the head to be a clergyman of the church of England, who has taken the degree of M. A. in one of the universities of Great Britain; all persons employed in the school exempted from militia duty; if the trustees neglect to appoint a head-master for twenty-one days, the governor, president, speaker, chief-justice, and attorney-general, or any three of them, may appoint.—18 Geo. 3, c. 25.

ST. CATHERINE'S PARISH

To send three representatives into assembly.—33 *Chas. 2.*
c. 1. The name given in 1677 confirmed.—33 *Chas. 2. c. 18.*
 The inhabitants of St. Jago de la Vega having patented twelve hundred and thirty-five acres of land, as a Savanna, the justices and vestry empowered to lay out five hundred acres nearest the town for that purpose, and to lay a tax for cleaning and opening it, and to keep it clean; and to lease or rent the remainder of the land for the benefit of the parish.—20 *Geo. 2. c. 10.* The justices and vestry made a body corporate; and, when met in vestry, empowered to lease the parish lands, excepting five hundred acres, but not to negroes and their descendants, unless these already in possession, to sue and be sued, and the rents to be collected by collecting constable, to be applied to the use of the parish, but they cannot appropriate the produce of such rents until they are received.—6 *Geo. 3. c. 4.* Justices and vestry empowered to allot or purchase land for a market house in St. Jago de la Vega, to erect the same, and raise a tax for the purpose not exceeding seven hundred pounds, to appoint a person to take care of it with a reasonable salary; a penalty of twenty shillings laid on persons selling fish in any other place from six till two, slaves so selling to be punished by a magistrate, and the fish forfeited; justices and vestry empowered to rent the stalls, and made a body corporate for that purpose; free people killing cattle, sheep, &c. must produce to the clerk of the market a receipt from the person purchased from, or a certificate of owner, as also the skins, on pain of forfeiting the carcass; a nightly watch to be kept in the town; parish foot-land to be rented at not less than two pence per foot, to be calculated upon the measurement of two sides of the square.—11 *Geo. 3. c. 14.* Parts of former acts repealed, and justices and vestry empowered to lease the parish lands for such term and rent as they think proper.—21 *Geo. 3. c. 13.* No quarterly vestry dinners to be given by this parish.—39 *Geo. 2. c. 22.* The inhabitants of the precinct of St. Catherine (St. Catherine, St. Dorothy, St. Thomas in the Vale, and St. John) having no court of common pleas, may sue in the grand court, and when the debt does not exceed twenty pounds it does not go to priority, but to discharge the writ on which the levy was made.—21 *Geo. 3. c. 24.* A house, &c. in St. Jago de la Vega, bequeathed by Matthew Gregory, esq. in March, 1765, for portioning poor girls, and for putting poor boys and girls out as apprentices, vested in trustees to be sold, being in decay, and the proceeds put out to interest for these purposes, now in the hands of the receiver-general, and amounting to three thousand pounds.

Trustees the chief-justice, custos of St. Catherine, and rector for the time being.—33 Geo. 3, c. 14. There were other buildings left, under the will of Alexander Fleteher, for the maintenance of three poor widows, who receive from the parish fifty pounds thirteen shillings and four pence a year each, payable quarterly, the houses having been sold when falling into decay, and the proceeds applied to parochial purposes.

Fort Small put on island establishment.—40 Geo. 3, c. 35. Justices and vestry empowered to sell certain parish lands, but disallowed by the king.—60 Geo. 3, c. 18.

PASSAGE FORT AND FORT-HENDERSON.

Bills of lading to be given for goods carried on freight to and from these places to Kingston.—31 Geo. 3, c. 3. The rates of wharfage the same as Kingston, which see, with the addition of a barrel, half barrel, or keg of gunpowder, ten shillings.—55 Geo. 3, c. 25.

See ST. JAGO DE LA VEGA.

ST. DAVID'S PARISH

To send two representatives to assembly.—43 Chas. 2, c. 1. The name given the parish in 1677 confirmed.—33 Chas. 2, c. 18. The plat books of this parish having been transcribed declared valid when attested.—9 Geo. 3, c. 17. A bridge to be built over Yallahs River, St. Thomas in the East to raise seventeen hundred pounds, St. David five hundred pounds, and the members in assembly and churchwardens made commissioners.—53 Geo. 3, c. 26.

ST. DOROTHY'S PARISH

To send two representatives to assembly.—43 Chas. 2, c. 1. Name given in 1677 confirmed, c. 12. Tolls of negroes having been taken by the clerk of the vestry, they are hereby declared valid, but he must send his books to the clerk of the peace, if required, erasing or effacing such tolls punished as for embezzling records.—1 Geo. 3, c. 20. Sixteen acres of land vested in trustees to be sold, and the money to be for the use of the parish, and the justices and vestry empowered to raise one hundred pounds per annum for repairs of barracks and other accommodation for soldiers.—8 Geo. 3, c. 8. And a further sum of one hundred pounds for same purpose.—14 Geo. 3, c. 18. The plat books having been recently trans-

1 declared valid, on being attested.—9 Geo. 3, c. 17.
 ises empowered to lay out money arising from sale of
 in purchasing buildings, &c. fit for a barrack, as well as a
 us of taxes.—21 Geo. 3, c. 12. Rates of wharfage fixed
 low :

	£	s	d
each anvil	0	2	6
each dozen bills, hoes, and axes, loose	0	0	10
each barrel pitch, tar, or rosin	0	0	10
each barrel beef, pork, flour, meal, rice, &c.	0	0	10
each bag of ginger, pimento, or coffee	0	0	7½
each bale, under 200lbs. 2s. 6d. ; above ditto to 500lbs.	0	7	6
each butt of 500 gallons, 5s. all above	0	5	0
each box or case of glass, from 2s. 6d. to	0	5	0
each box of soap or candles	0	0	5
each box of dry goods	0	1	3
each bar of iron, per 112lbs.	0	0	7½
each bundle of iron hoops, single, per 112lbs.	0	0	7½
each pack, each	0	0	7½
each bundle of leather	0	0	10
every 1000 bricks	0	10	0
each barrel	0	5	0
each chest of bacon	0	5	0
each chest of medicines, small	0	6	3
each chest of drawers	0	5	0
each case of iron-ware, under 500lbs. 2s. 6d. ; all above	0	5	0
each case of pickles	0	0	7½
each box of cheese	0	0	5
each crate of earthenware, 2s. 6d. ; if upwards of five feet	0	7	6
each and thirty inches high	0	0	10
each, per 100lbs.	1	12	6
each coach, including wheels	1	6	8
each chariot, including wheels	0	15	0
each chaise, including wheels	0	7	6
each coppers under 200 gallons 3s. 9d. ; all above	0	0	7½
each chairs unpacked, two for	0	3	9
each sofa	0	5	0
each corner cup-board, small, 2s. 6d. ; large	0	0	5
each piece of coccus or osenburgh, loose	0	2	6
each bag of cotton, storing, weighing, and shipping	0	1	3
each pocket of ditto	0	2	6
each cask of bottled liquor	0	5	0
each cask of iron-ware, from 3s. 4d. to	0	15	0
each carriage-guns, from 7s. 6d. to	0	2	1½
each desk	0	2	6
each hoghead of fish	0	10	0
each barrel or half-barrel of gunpowder	0	2	6
each keg of ditto	0	1	3
each grapple	0	3	4
each grind-stone, not exceeding 200lbs. 16d. ; all above	0	3	4
each hoghead of rum, beer, or molasses	0	3	4

	£.	s.	d.
For each hoghead of sugar, receiving, weighing, and shipping	0	3	9
For each tierce of ditto, ditto	0	2	6
For each tierce of coffee and pimento, ditto	0	2	6
For each puncheon of rum, receiving, gauging, and shipping	0	3	4
For every 1000 wood-hoops, stored	0	7	6
For each hearth	0	5	0
For each hamper of bottled liquer	0	1	3
For each ditto of tin or copper ware	0	1	3
For each dozen of iron pots	0	2	6
For each 56lbs. weight	0	0	7½
All other weights in proportion.			
For each jug of oil	0	0	7½
For each jar of oil, of ten gallons, 2s. 6d.; upwards of twenty gallons	0	5	0
For each cooper's jointer	0	0	7½
For each keg of paint, tripe, &c.	0	0	5
For each sheet of lead	0	5	0
For each bundle of ladles, &c.	0	1	3
For every 1000 feet of lumber, landing, piling, and delivering; to be counted each time, to ascertain the quantity received and delivered	0	12	6
For every 100 feet of mahogany plank, slabs, or any square timber	0	1	8
For each bundle of mats	0	1	3
For each mill-case	0	3	9
For each mouth-piece and plate	0	1	10½
For each dozen ox-bows	0	0	7½
For each plough	0	2	6
For each drip stone and frame, &c.	0	2	6
For each box or case of negro pipes	0	1	8
For each case of leaden pipes, 300lbs. 5s.; above	0	15	0
For empty puncheons, receiving and delivering	0	0	10
For each hoghead of corn, &c.	0	3	1½
For each tierce of rice, corn, &c.	0	2	6
For each bundle of spades, &c.	0	1	2
For each smith's bellows	0	3	4
For each set of hogsheds, tierce, or puncheon truss-hoops	0	0	10
For every 1000 shingles, unpacked	0	5	0
For every ditto, packed	0	3	9
For every 1000 staves and heading, landing, piling, &c.	0	12	6
For each trunk, chest, or case of dry goods, two feet long, 1s. 8d.; three feet, 3s. 4d.; above four feet	0	7	6
For each table, if small, 1s. 8d. if large	0	3	4
For each box of tobacco	0	0	5
For each triangle, from 5s. to	0	10	0
For each tache	0	3	9
For each ton of wood, receiving and weighing	0	12	6
For each bundle of wain-tyre	0	1	10½
For each still, with head, of 500 gallons	1	0	0
For each ditto, with ditto, of 1000 ditto	2	0	0
For each gudgeon for rollers	0	1	8
For each shaft gudgeon	0	1	3

For each hog-head of coals or lime	£	s	d
For each chest of tea	0	2	6
For each grating bar	0	1	8
For each iron axle	0	0	10
For each punchion of temper-lime	0	1	3
For each ditto, eased in hog-heads	0	2	6
For each dumper and frame	0	3	9
For each butt of wine and porter	0	5	0
For each pipe of ditto	0	10	0
For each cask of nails, 10d. ; if above 200lbs	0	6	8
For each barrel of bread	0	1	8
For each half ditto ditto	9	0	10
For each keg of peas, barley, or grats	0	0	7½
For each skin of butter	0	0	5
For each skin of tallow or lard	0	0	7½
For each bale of tarpaulins	0	1	3
For paving stones, per yard square	0	1	8
For worms for stills, 1000 gallons or upwards	1	5	0
For ditto for ditto, above 500 to 1000 gallons	0	12	6
For ditto for ditto, of 500 or under	0	7	6
All other articles in proportion.			

Packages of goods not taken away in four months to pay fifty per cent. additional, and one half of such rate for every four months after; lumber, dyewoods, coals, bricks, &c. not taken away in six months to pay one-fourth more wharfage, and the same for every month exceeding six months.—45 Geo. 3, c. 24.

ST. ELIZABETH'S PARISH

To send two representatives to assembly.—33 Chas. 2, c. 1. The name given in 1677 confirmed.—33 Chas. 2, c. 18. Divided into two parishes, by a line beginning at a place called Scot's Cove, in Syranam quarters, thence due north-east, and from the eastward of the said division to the parishes of Clarendon and Vere to be St. Elizabeth, and to the westward to the south bounds of St. James a new parish, to be called Westmorland, to have all the powers of other parishes.—2 Ann. c. 1. Those parts of Carpenter's mountains bounding from the mouth of Milk-River ten miles up its course, to the bounds of Sutton and Sperry, and thence north-west cross the mountains to Manatee Savanna, and along their top to Alligator Pond, and along the seaside to the mouth of Milk-River annexed to the parish of Vere.—12 Geo. 2, c. 6. One thousand acres of land allotted to Accompong maroons, binding easterly on land patented by James Smith, and partly on land patented by George Raxtead, south easterly on land patented by Edward and Francis Smith, south on land patented by

Alexander Stanhope, and partly on land laid out for George Currie, west and south west on Rocky mountains and Cock-pits; and a penalty of five hundred pounds laid on any person intruding upon said lands.—31 Geo. 2, c. 9. Certain land vested in trustees to be sold, and the purchase money to be laid out in the purchase of mountain land for the benefit of the incumbent and successors, for provision grounds for the parsonage negroes.—1 Geo. 3, c. 5. Justices and vestry authorised to establish and maintain a ferry-boat over Black-River, at Gravesend, and lay a tax for that purpose, those damaging it, or taking away the boat, ropes, cranes, &c. guilty of felony.—16 Geo. 3, c. 18. Justices and vestry to elect four river-wardens on the day they elect waywardens, and if they neglect, justices to appoint them; no person exempted from this duty once in three years, unless exempted as waywardens, they are to be sworn in in twenty days, under penalty of fifty pounds. Clerk of vestry to give them notice in five days after appointment, under penalty of twenty-five pounds; and justices refusing to swear them forfeit fifty pounds. Justices and vestry to lay a tax for rendering safe the navigation of the rivers in the parish, and, in failure, the riverwardens to assess in their districts; and if they neglect their duty for three months, they are subject to a penalty of one hundred pounds. They may direct constables to warn workers and to levy money, and persons not furnishing slaves, tools, &c. to forfeit three shillings per diem for each slave or tool deficient; the riverwardens, under penalty of ten pounds, must within twenty days inform some justice of offences, on oath, who is empowered, under a penalty of fifty pounds, to associate with another justice, who must so do under penalty of fifty pounds, and they must summon the party and adjudge sentence, with power to issue distress warrants, and no appeal is left from their decision; if default be in an overseer he must reimburse to his employer, whose property may be levied on. Riverwardens may reject improper slaves, they may cut down trees, and remove all obstructions; those falling trees or casting rubbish into rivers to forfeit one hundred pounds. No excuse to be made for not sending labourers, who, as well as cattle, carriages, &c. are protected from civil process while employed; justices may raise a tax for purchasing boats, &c. and may enter into contracts; penalties to be recovered before two justices; every ship trading north of the tropics arriving at Gravesend to pay fifteen shillings, every brigantine, snow, or bilander ten shillings, sloop or schooner seven shillings and six pence, and those trading between the tropics one half; and none to be cleared out until duties paid, under penalty of fifty pounds on

receiver-general, if the water bailiff has furnished him with the proper certificate, which he must do, under penalty of forty shillings. Governor to appoint a water bailiff, who must personally attend his duty, under penalty of twenty pounds for every neglect, he is to be sworn to act impartially, and make good damages from ignorance or negligence, but no person who is a commissioner or wharfinger can be appointed. Disputes about mooring to be settled by commissioners, or any three of them, who are the custos, representatives in assembly, the churchwardens, justices, and vestrymen; no ballast to be thrown overboard but where bailiff directs, under penalty of fifty pounds. Trustees appointed to sell a piece of land and to apply the proceeds in the purchase of mountain land for the use of slaves belonging to the rectory.—23 Geo. 3, c. 8. Justices and vestry on the first quarter day every year to appoint the place where vestries, quarter sessions, and common-pleas are to be held.—29 Geo. 3, c. 1. Transient traders to pay two per cent. on invoices, and justices and vestry to appoint a collector, who must attend every day from nine to two; transient traders must attend him in forty-eight hours and swear to invoices, and pay or give bond for duties, unless they have paid in another parish, or consign their cargoes to an inhabitant paying taxes, on oath of both parties; in case of non-attendance collector may summon, and in case of refusal he must give notice to five magistrates and vestrymen, who are empowered to assess and levy by distress and sale, on which five per cent. commission is allowed to the collector; if goods cannot be had the party may be fined twenty pounds and imprisoned until paid; collector to pay over money to churchwardens quarterly, and a penalty of twenty pounds on all neglecting their duty under this act; the churchwardens for its purposes declared a body corporate.—43 Geo. 3, c. 24. Rates of wharfage made same as at Falmouth, which see.—45 Geo. 3, c. 25. Justices and vestry having raised five thousand pounds to build a bridge over Black-River, indemnified in so doing; and trustees appointed to erect such bridge; they are empowered to raise a sum not exceeding ten thousand pounds, and made a body corporate for the purposes of the act; and also empowered to borrow five thousand pounds at eight per cent. payable half yearly.—51 Geo. 3, c. 18. An irregular election of churchwardens and vestry declared legal.—56 Geo. 3, c. 21.

ST. GEORGE'S PARISH

To send two representatives to assembly.—33 Chas. 2, c. 1. Rate given the parish in 1677 confirmed.—33 Chas. 2, c. 18.

Part of the unsettled land of this parish declared a distinct parish by the name of Portland, which see.—10 Geo. 1, c. 8. Six hundred acres having been patented for glebe land, trustees appointed for the sale of three hundred of it, and the money arising to be applied for the purchase of negroes for the use of the rector for the time being; the remaining three hundred acres vested in the trustees for the use of the rector.—29 Geo. 3, c. 4. In order to keep the harbour of Annotto-Bay in good order vessels trading north of the tropic to pay the following duties, three-masted fifteen shillings, brigantine, snow, or bilander, ten shillings, sloop or schooner seven shillings and six pence, those trading between the tropics one half, and droppers two shillings and six pence every three months, and vessels not to be cleared out, until paid, under penalty of fifty pounds on receiver-general, provided the water bailiff has lodged with him the proper certificate of mooring the vessel, and every commander must sign such certificate in three days, under penalty of forty shillings. Governor to appoint a water bailiff, who must be sworn to act impartially, and to be allowed fifty pounds per annum by the parishes of St. George and St. Mary, and to make compensation for injuries sustained by his negligence or ignorance; but no commissioner or wharfinger can fill the office; justices and vestry of St. Mary and St. George appointed commissioners, who must settle disputes about mooring; no ballast to be thrown overboard, under penalty of fifty pounds, the harbour-master to take charge of vessels on fire, and those obstructing him forfeit five hundred pounds.—25 Geo. 3, c. 10. Former trustees released, and justices and vestry declared a body corporate for all purposes, and the glebe land and negroes vested in them upon trust to build a parsonage, to lay out seventy acres for the accommodation of the rector, who is to cultivate the land, and if he does not, and otherwise employs the slaves, the justices and vestry may resume possession to cultivate the same, and pay over to him any profits, after deducting expenses; the justices and vestry also to build a church, lay out a burial ground, and appropriate residue of three hundred acres for a glebe.—41 Geo. 3, c. 22. Rates of wharfrage fixed same as Falmouth, which see.—45 Geo. 3, c. 26. An election of churchwardens and vestry on a wrong day declared illegal.—56 Geo. 3, c. 18. Justices and vestry empowered to sell the present rectory and glebe, to purchase land and build or improve the buildings of rectory, and should there be any surplus of money, the same to be placed at interest for the use of the rector; but, if necessary, they are empowered to raise money not exceeding the sum limited by law, with proceeds

of sale, for the purposes of this act.—58 Geo. 3, c. 29. The justices and vestry empowered to raise two thousand pounds for the purchase of land and erecting a marine hospital, and empowered to exchange or sell land; they are to furnish the hospital with all necessary articles, make regulations, and those infringing them to be fined, not exceeding one hundred pounds, and imprisonment not exceeding three months, and if by a slave corporal punishment, not exceeding thirty-nine lashes; for the support of the hospital, ships or vessels trading north of the tropic to pay one shilling and six pence per ton, those trading within the tropics one half, ships of war, droppers, and coasters excepted; justices and vestry may reduce the duty, to be recovered before a justice of the peace, and vessels cannot be cleared out until paid, under penalty of fifty pounds. Justices and vestry to appoint a collector, to be paid by masters of vessels, not exceeding ten per cent, on sums collected, and he must keep an office at Annotto-Bay, to be open from nine till two, and is accountable to justices and vestry for receipts and payments; collecting constable for parochial taxes may extend his security for the collection of duties under this act; actions to commence in six months, the general issue to be pleaded, and in case of nonsuit or discontinuance, &c. double costs to be awarded.—1 Geo. 4, c. 20.

ST. JAGO DE LA VEGA.

The supreme court to be held in this town.—33 *Chas.* 2, c. 23. The public buildings to be erected in it.—17 Geo. 2, c. 9. Justices and vestry empowered to keep its streets, &c. clean.—21 Geo. 2, c. 8, and 22 Geo. 2, c. 8; but these acts superseded by the police act.—43 Geo. 3, c. 21. Declared the county town of Middlesex.—31 Geo. 2, c. 4. Justices and vestry of St. Thomas in the Vale empowered to procure slaves, &c. to mend their road leading to this town.—6 Geo. 3, c. 18. Justices and vestry empowered to regulate the building of negro houses, and to pull down improper ones.—11 Geo. 3, c. 3. Justices and vestry empowered to build and regulate a market house. (*See ST. CATHERINE*).—22 Geo. 3, c. 14. Commissioners appointed to purchase land and enlarge the barracks as they now stand.—32 Geo. 3, c. 25. Board of works authorised to erect Rodney's temple in this town.—38 Geo. 3, c. 21. Housekeepers to have a number of fire buckets, containing two and a half gallons each in propor-

tion to rent; forty pounds and upwards two, with one person to carry them; sixty pounds four, and two persons; one hundred pounds six, and three persons; under penalty of forty shillings for each bucket wanting, buckets to be numbered and have the owners name painted thereon; churchwardens to keep in repair three fire-engines, under penalty of ten pounds each; justices and vestry to hire a person to take care of them, captain of the first at a fire to have ten pounds, and the second five pounds reward; justices and vestry empowered to lay a tax to defray expences, and to elect five firewardens after the annual election of vestry, two of which to be justices and three inhabitants, who must be sworn in, and if they refuse to act to forfeit twenty pounds, they have the sole direction at fires, and all persons attending exempted from judicial process; firewardens, constables, &c. to repair immediately to fires, to inspect engines monthly, and buckets every three months; they are empowered to pull down houses, and if fires be thereby stopped, the owner to be indemnified, except the house where the fire began; they are to inspect the town yearly, and report all dangerous places and nuisances, which justices are empowered to remove, if not done by the parties, on notice given, who may be indicted, and those obstructing the orders of the justices may be committed to gaol, on affidavit being made, and warrant issued by any justice; no person to discharge fire-arms in the town, or within half a mile of it, under penalty of twenty shillings for each discharge, and if by a slave to be punished under the slave law; no person to deposit filth or rubbish, under penalty of twenty shillings. Justices and vestry empowered to cause open lots of land to be enclosed, on notice being given in St. Jago Gazette for four weeks, when they may authorise any persons to occupy them from three to seven years; persons afterwards claiming must inclose them, under penalty of twenty pounds. Liquor shops to be open from six to six, but no other time; under penalty of ten pounds, and none to be within one hundred yards of public buildings, under penalty of twenty pounds, and being incapable of holding a license; a bell to be rung at nine at night, and slaves afterwards found in streets until five, without a ticket, or not in charge of carriages, to be sent to workhouse until released by a justice, who may confine for five days, and reward, if he sees fit, the apprehending party with ten shillings. Slaves galloping, or driving furiously through the town, or carelessly turning stock loose, the owner to forfeit forty shillings, to be recovered before a justice, after summoning owner, which must be done in seven days; in case of non-appearance warrant to issue to recover payment, but the owner has a discretion in delivering up the

slaves, to be punished, not exceeding thirty-nine lashes; and complaints must be lodged in a week; workhouse negroes to repair and clean the streets, race-course, &c. on penalty of forty shillings; justices and vestry, by public notice in St. Jago Gazette, may appoint particular streets, &c. where droves of cattle, horses, &c. are to pass, and empowered to lay out a road for that purpose; carriages bringing produce, goods, &c. into town not to remain above two hours, nor to work on Sunday, under penalty of forty shillings for every offence; no person to expose putrid provisions to sale, under penalty of twenty pounds. Justices and vestry to appoint persons to superintend the markets on a reasonable salary, to be open from six to four, and no meat or fish to be exposed for sale elsewhere during market hours within two miles, under penalty of twenty shillings, and the meat or fish forfeited; the stalls to be rented; no slave residing in town to sell plantation provisions, poultry, eggs, fruit, vegetables, grass, or corn, or be subject to punishment as for a misdemeanor, or, if employed by owner, the owner forfeits forty shillings, unless the owner possess any settlement for cultivating provisions; no cattle to be killed but in places appointed by the justices and vestry, under penalty of ten pounds. Justices empowered to grant warrants to all goods of hawkers and pedlars, which constables must seize, under penalty of five pounds, they may also issue warrants, authorising constables to kill hogs and goats in the streets; they may appoint constables and punish them for neglect, by discharging them under the act 18 Geo. 3, c. 17. Justices and vestry empowered to buy and sell lands within the town for a market place; to make alterations and improvements in the town, and, for the purposes of this act, made a body corporate by the name of "The Justices and Vestry of St. Catherine," to appoint a surveyor and town clerk, with reasonable salaries, and to lay a tax for carrying this act into effect, not exceeding one thousand pounds per annum; justices, vestrymen, and jurors not attending summonses, to forfeit five pounds; penalties not exceeding twenty pounds to be recovered before a justice, all above by action of debt; those aggrieved may have writ of *certiorari*; all suits to commence in twelve months; in cases of recovery plaintiff to have costs; debts not exceeding ten pounds, between party and party within the town, to be recovered the same as debts of forty shillings; the limits of this town to be the ford over Redwood's gully, (now a bridge) Tackey's bridge on the Walks Road, the Gully on the St. John's road, Price's bridge on the Old-Harbour Road, the Race-Course, the bridge on the Passage Fort Road, the bridge over the Rio Cobre, and along the River to Redwood's gully.—19 Geo. 3, c. 21. Board

of works empowered to build a new arsenal and guard-house in this town.—44 *Geo. 3, c. 21*, and a sewer from the barrack to a ravine near the Rio Cobre, those injuring it liable to a penalty of one hundred pounds.—47 *Geo. 3, c. 23*. Land and buildings formerly occupied as dragoon stables vested in the justices and vestry of St. Catherine for a poor-house.—56 *Geo. 3, c. 22*. Board of works empowered to erect a building on the south-side of the square, opposite the king's-house, for a grand jury-room, parochial offices, &c. and a grant made by the public for that purpose; a tax laid on the county of Middlesex of four pence per head on slaves, and the parish of St. Catherine to pay five hundred pounds per annum for four years, in addition.—58 *Geo. 3, c. 17*. The justices and vestry of the precinct of St. Catherine empowered to raise a tax for the repairs of the workhouse.—6 *Geo. 4, c. 16*.

ST. JAMES'S PARISH.

To send two representatives into assembly.—33 *Chas. 2, c. 1*. The name given the parish 1677 confirmed, *c. 18*. The plat books having been lately transcribed declared valid when attested.—9 *Geo. 3, c. 17*. The parish divided into two parishes by a line from the house in Long Bay where a tavern was kept, running due south until it meets with the north boundary of St. Elizabeth, and by a line from the centre of the said house, and all the lands to the westward of the said line shall be a parish named St. James, and all the lands to the eastward a parish named Trelawny, and in the county of Cornwall, both to have the same rights, &c. as other parishes; justices to issue warrants to elect churchwardens and vestrymen for Trelawny, and books to be kept as in other parishes, &c.—14 *Geo. 3, c. 31*. Parishes having been empowered to raise five thousand pounds for erecting parochial buildings, which being insufficient, the justices and vestry empowered to raise six thousand pounds more for that purpose, and land to be bought and a court-house erected at Montego-Bay.—(See MONTGEO-BAY). The court-house to be kept in repair by a parish tax.—15 *Geo. 3, c. 25*. No carriages of burthen (mule carts excepted) to be allowed to work on highways (except to the eastward of Montego-Bay to the line of Trelawny, along the sea-shore, and all those estates in that district within four miles of the sea-side), unless the fillies be at least six inches broad, with a reasonable allowance for wear; carriages with narrower wheels may be seized and sold, on oath before a justice, and proceeds applied to repair the roads.—29 *Geo. 3, c. 23*. Lands purchased from

time to time for various parochial purposes, with all buildings, vested in the churchwardens of the parish of St. James for such purposes, and the churchwardens made a body corporate, with full powers in all matters concerning them, and to have a common seal, but are accountable to justices and vestry.---33 *Geo. 3, c. 23.* Rates of wharfrage for Cornwall fixed.---(See FALMOUTH).---44 *Geo. 3, c. 26.* Justices and vestry empowered to raise a sum not exceeding fourteen hundred pounds annually, for the purpose of establishing schools, to be called St. James's free-schools, and the president of the council, the speaker, the custos of the parish, and representatives in assembly, the rector, churchwardens, and three senior magistrates next to the custos, actually resident, with three resident freeholders, to be elected at same time and same manner as churchwardens and vestrymen, and four to be elected, if the custos be a representative, to be trustees, five a quorum, with full powers to order and conduct all matters concerning the schools; they are declared a body corporate, under name of "The Trustees of the St. James's Free-Schools," with full powers; persons giving one thousand pounds, or an annual sum of one hundred pounds, to become trustees; the trustees to purchase land and erect proper houses for the reception, in the first place, of white children of the parish, and may appoint masters, mistresses, &c. of the principles of the church of England, with such salaries as they think proper, and may import or purchase clothing, furniture, books, &c. They may expend such sums as they see fit in binding out apprentices and upholding school and buildings; to make bye-laws for the government of the school, which they may alter; the children to be educated in the principles of the church of England; trustees not to retain monies in their hands more than thirty days, but to place it out at interest; persons offending against this act to forfeit two hundred pounds, to be recovered in supreme or assize-court; in case of vacancies, by death or departure, public notice to be given for the election of others; the accounts of trustees to be audited annually, on the twenty-eighth December, and laid before the following vestry, under penalty of fifty pounds.---46 *Geo. 3, c. 27.*

ST. JOHN'S PARISH

To send two representatives to assembly.---33 *Chas. 2, c. 1,* and the name given in 1677 confirmed, *c. 18.* The justices and vestry to lay a tax to raise four hundred and fifty pounds,

to be paid to the churchwardens of St. Catherine for repairing the road to the town of St. Jago de la Vega.—18 Geo. 3, c. 21.

ST. MARY'S PARISH



To send two representatives to assembly.—33 *Chas. 2, c. 1*, name given in 1677 confirmed, c. 18. Sixty-one acres of land at Bagnall's, in this parish, vested in justices and vestry of St. Thomas in the Vale to be sold, and other land purchased in that parish for a barrack.—23 *Geo. 3, c. 9*. Ninety acres of land, bequeathed by Thomas Manning for the use of the poor of this parish, vested in justices and vestry for that purpose, for which they are made a body corporate, to sue and be sued, and empowered to lease for seven years, proceeds to be applied for the benefit of the poor.—23 *Geo. 3, c. 10*. For the purpose of keeping in repair the harbours of Port-Maria, Oracabessa, and Rio Nova Bay, vessels trading north of the tropic to pay the following duties: every ship or three-masted vessel fifteen shillings, brigantine, snow, or bilander, ten shillings, sloop or schooner seven shillings and six pence, and those trading within the tropics one half, sugar droppers and coasters excepted, who must pay two shillings and six pence every three months, and receiver-general not to clear out any vessel until duties paid, under penalty of fifty pounds, provided the water bailiff has lodged with him a certificate of mooring, which masters must sign, under penalty of forty shillings; the water bailiff to be appointed by the governor, and sworn before any three of the commissioners, who are the justices and vestry of the parish; and who are empowered to lay a tax of fifty pounds for his salary, and twenty-five pounds each for two deputies; water bailiff to make good all damages occasioned by his ignorance or negligence, and no commissioner to be a water bailiff; differences about moorings to be settled by any three commissioners, whose directions water bailiff must follow, under penalty of twenty pounds; no person to throw ballast, &c. overboard, under penalty of fifty pounds, and two months imprisonment, to be decided by two justices; water bailiff to take sole charge of vessels on fire, and five hundred pounds penalty is laid on any person obstructing him.—44 *Geo. 3, c. 26*. Rates of wharfrage fixed for Salt-Gut.—49 *Geo. 3, c. 24*. For Rio Nova Bay.—51 *Geo. 3, c. 12*. And for Port-Maria, c. 26, all the same as at FALMOUTH, which see. All packages of goods not taken away in four months to pay half the rate more, and for every month more, one quarter of the rate; wharfinger

taking or demanding any greater rates to forfeit one hundred pounds, to be recovered in supreme court, and they must erect good and sufficient stores.—49 *Geo. 3*, c. 24, 51 *Geo. 3*, c. 12, and c. 26.

MANNING'S TOWN.

The justices and vestry of St. Mary empowered to exchange ninety acres of land devised by Thomas Manning to the poor of the parish, for a pen called Nibbs's, situated near Port-Maria Bay, and containing fifty-four acres, and the sum of one thousand pounds to be paid to the churchwardens by the proprietor of Nibbs's pen; when conveyances made the justices and vestry to be seized of the pen for the purpose of laying out a town, to be called Manning's Town, and to erect therein a court-house, workhouse, gaol, and other parochial buildings, as also a poor-house and hospital; and empowered to raise seven thousand pounds to carry these purposes into effect, in addition to one thousand pounds received for the exchange of land. They are empowered to lay out the town, to cause a diagram to be recorded in secretary's office, to fix the size and form of the parochial buildings, and to contract for erecting them, with tradesmen, who must enter into approved security, which are afterwards to be repaid by the parish; the present house on the pen to be occupied or used as the justices and vestry think proper, until the parochial buildings are erected, when it is to be rented, leased, or taken down, and the materials sold as they may think proper; they may also demise or lease out lots of land laid out for a town, as well as the residue of the pen, but not sell, reserving a sufficient quantity for exercising the militia; the collecting constable to receive the rents in the same manner as other taxes, and his security to extend to them, and to be for the use of the poor and parish; the justices and vestry invested with the full corporate powers given by 23 *Geo. 3*, c. 10, for the purposes of this act.—57 *Geo. 3*, c. 20. The justices and vestry empowered to provide a sufficient building for a marine hospital in Manning's town, for the reception of sick seamen; or other persons who may be sent in by any justice or vestryman, and to furnish it with all necessary articles, to make and establish bye-laws and regulations, under pains and penalties, by fine not exceeding one hundred pounds, imprisonment three months, or flagellation thirty-nine lashes, or commitment to hard labour not exceeding six months, or both, so limited. For support of hospital, ships or vessels trading north of tropics to pay one shilling and six pence per ton, those between the tropics nine pence, coasters excepted, justices and vestry may lower but cannot raise such duty; they are empowered to take up and conduct water from Shore Ditch Spring, and de-

Ever it on the left bank of the Port-Maria westernmost river, near the bridge, by aqueducts, canals, &c. for the use of inhabitants and shipping; the uses of said stream for these purposes vested in the justices and vestry; persons throwing stones, dirt, &c. into the aqueducts, canals, &c. so as to injure or obstruct the water, to forfeit one hundred pounds, to be recovered in supreme court; maliciously demolishing, breaking down, or destroying, aqueducts, gutters, pipes, &c. declared felony; masters of vessels to pay six pence per ton for the use of the water, excepting droppers and turlers, not exceeding twenty-five tons; justices and vestry empowered to raise a tax, not exceeding two thousand pounds, for the purposes of erecting buildings, and one thousand pounds for the aqueducts, &c. those contracting for the work to give good security, and the justices, &c. empowered to keep the whole in repair, and to raise a tax for the purpose; tonnage duties may be recovered before a justice, and the vessels cannot be cleared out until paid; the justices and vestry to appoint a collector to be paid by the masters of vessels not exceeding ten per cent. on collections, who must keep an office in Manning's town, or Port-Maria, and give security for the performance of his duty, and the collecting constable of the parish to include it in his security. The justices and vestry declared a body corporate, to sue and be sued, for the purposes of this act; penalties not otherwise provided for, to be recovered before a justice; damages for injury done to the aqueducts, &c. also recoverable before a justice of the peace, if not exceeding twenty pounds, who, upon oath made, may issue a warrant to summon a jury, within ten days, of twelve, three of which to try the complaint, on being sworn, and if they give a verdict of damages, the justice may issue his warrant to apprehend and imprison the offending party until damages paid to collector, with costs, and the proceedings not to be vacated or quashed for want of form, and only examinable by writ of *certiorari* in the supreme court. In actions against persons contravening this act, thirty days notice must be given, and they cannot be brought after nine months; the general issue may be pleaded, and that the same was done in pursuance of the act, and if it appear so, or that the time of action had expired, the jury to find for defendant, and if the plaintiff is nonsuited, or discontinue the action, or upon demurrer judgment be given against plaintiff, the defendant to recover costs. Hogs and goats found in any cane-pieces, grass-pieces, coffee walks, provision grounds, or other cultivated lands, the same being inclosed, to be destroyed, and carcasses delivered to owner, if applied for in six hours after killed; two or more justices to authorise constables to

destroy hogs in the streets and lanes of Port-Maria and Manning's town.—1 Geo. 4, c. 16.

ST. THOMAS IN THE EAST PARISH.

To send two representatives to assembly.—33 Chas. 2, c. 1, and its name given in 1677 confirmed, s. 18. Part of the lands belonging to this parish laid out into a new parish, to be called Portland, which see.—10 Geo. 1, c. 8. Commissioners appointed to lay out a road from Kingston to Bath.—26 Geo. 2, c. 7. Plat books lately transcribed declared valid when attested by clerk of patents.—9 Geo. 3, c. 17. Rates of wharfage for this parish fixed same as in Kingston, which see.—44 Geo. 3, c. 32. Parsonage and glebe vested in justices and vestry to be sold, who are authorised to purchase another parsonage and glebe land, and to lay a tax for the purpose.—51 Geo. 3, c. 19.

MORANT-BAY.

For preservation of this harbour, Port-Morant, and Matichoneal, the governor empowered to appoint a water bailiff, who must not be one of the commissioners, to regulate moorings of vessels, those throwing ballast, &c. into them to forfeit one hundred pounds, water bailiff to point out places for throwing the same, or forfeit one hundred pounds. Persons sinking vessels or wrecks wilfully to forfeit five hundred pounds or pay damages, at discretion of commissioners; water bailiff to regulate moorings within one hundred yards of entrances, time and manner of entrance, and position, those disobedient to forfeit twenty pounds. Differences to be settled by commissioners. He is to take charge of vessels on fire, and any person obstructing him to forfeit one hundred pounds. To pay his salary and other expences, a duty is laid on three-masted vessels of three pounds, brigantine, schooner, or bilander, two pounds, sloop and schooner, thirty shillings, trading north of the tropic, and one half on those within the tropics; evasing vessels, two pounds annually, to be paid before clearing out; certificates of mooring to be given by the bailiff. The justices and vestry of St. Thomas in the East declared commissioners under this act, and any three are empowered to cause the harbours to be cleaned, repaired, &c. and raise a tax not exceeding three hundred pounds annually, to defray expences, and pay bailiff's salary, not exceeding two hundred pounds. Actions against them to be commenced in six months.—59 Geo. 3, c. 15.

ST. THOMAS IN THE VALE PARISH

To send two representatives to assembly.—33 *Chas.* 2, s. 1, and the name given the parish in 1677 confirmed, c. 18. Inhabitants of the parish to keep in repair the road from St. Jago de la Vega to the Angels, and the justices and vestry empowered to levy taxes for the same, that part of the parish of St. Catherine, through which the said road leads not being furnished with slaves sufficient, but to be aided by the slaves on the Angel's plantation, which are allotted to St. Thomas in the Vale.—23 *Geo.* 2, c. 16. Tolls of negroes having been taken by the clerk of the vestry, they are declared valid, but must be sent to clerk of peace, if required, and persons who erase or deface them to be punished as for embezzling records.—1 *Geo.* 3, c. 20. Justices and vestry, when they see proper, to make allotments of cattle, carts, and negroes, or to authorise the churchwardens to purchase cattle, carts, and tools, for amending the highways in the parish, and that leading from it to St. Jago de la Vega, all expences to be paid by the parish; those refusing to send their allotments of negroes and cattle, forfeit three shillings per day for each deficient; an overseer may be hired, if sixty negroes under him, at seven shillings and six pence per day; wheels of carriages of burthen to be ten inches broad in the fellies, and carriages with narrower ones may be seized, and condemned by a justice, to be sold for the benefit of the highways.—6 *Geo.* 3, c. 18. This parish having been burthened with the support of a barrack at Bagnal's, in St. Mary's, the sixty-one acres remaining of the land on which they were built vested in the justices and vestry of St. Thomas in the Vale, to be sold, and with the money arising to purchase lands in St. Thomas in the Vale, or which to erect a barrack, and, if proceeds not sufficient, they are empowered to raise a tax to complete and keep in repair the barracks.—23 *Geo.* 3, c. 9. Justices and vestry enabled to raise a sum not exceeding seven thousand pounds, for erecting a court-house, gaol, workhouse, poor-house, hospital, and other parochial buildings, and the churchwardens made a body corporate for these purposes, enabling them to purchase lands and erect buildings; the justices and vestry empowered to grant certificates for payment of instalments.—57 *Geo.* 3, c. 26. Enabled to build bridges over Rio Magno and Byndloss gullies, c. 27. The toll on the River Road abolished, and all acts concerning it repealed, and the parish of St. Thomas in the Vale, in respect to the road, to be placed on the same footing with other parishes, and raise a road tax and allot estates to work thereon, or farm it, as the justices and vestry see proper.—3 *Geo.* 4, c. 18.

SALT.

The parishioners of St. Catherine, St. Thomas in the Vale, and St. Dorothy, having for several years been furnished with salt by Sir Thomas Modyford, senior, in consideration of their having surrendered their rights in the Salt-Ponds to him, he is obliged to supply these parishes at the rate of twelve pence per bushel, not exceeding half a bushel for each white or black person, and so that the whole do not exceed five thousand bushels.—35 *Chas.* 2, c. 15.

SALVAGE, *see* SHIPWRECKED GOODS.

SATISFACTION, *see* JUDGMENT and MORTGAGE.

SAVANNA-LA-MAR

Declared the county town of Cornwall.—31 *Geo.* 2, c. 4, but Montego-Bay is now made so by 56 *Geo.* 3, c. 2. No cooper, &c. to make casks, or suffer any fire to be made in his yard, but in a square, to be built of brick or stone, of eight feet high, to the westward of every building, under penalty of ten pounds for every week he shall delay to make such inclosure, and for every time such fire is made, two justices to order all buildings covered with thatch; &c. to be pulled down, and a penalty of ten pounds laid for so covering buildings to southward, eastward, and westward, of Whitehall and Matt Pond; justices and constables neglecting their duty to forfeit ten pounds.—9 *Geo.* 3, c. 4, s. 5, to end. After the havock sustained by a dreadful fire on the night of sixth December, 1779, and the dreadful storm of thirtieth October, 1780, which utterly ruined the town, trustees appointed for new building it, to cause surveys and plats of land to be made, to agree for the purchase of lands, and to call in a jury when necessary, securing payment out of the funds provided by the act; the line of the new town to be extended from the sea, beginning at Goodin's wharf to the fording place in the king's highway at Kirkpatrick corner, and thence, in a straight line, to the fording place in the king's road at Dunbar's gut, and thence in a straight line to the sea, at a place called the creek, to the eastward of the old town of Savanna-la-Mar, in which the ground of the old town is included; trustees to design and lay out the streets, &c. to cause a court-house to be built, and prevent dangerous huts, &c. or fences, from being erected; justices empowered to direct constables to remove them, and to pull down decayed houses; and those who consider themselves injured to have recourse by *certiorari* to assize-court.

but if the cause go against them they must pay double costs ; justices neglecting their duty to forfeit twenty pounds, and constables five pounds. Trustees empowered to purchase two or more fire engines, with a sufficient number of buckets, and to cause wells to be sunk, &c. In cases of disputes as to lands, two justices may summon a jury to value ; trustees to appoint a clerk and other officers, at such salaries as they deem proper ; they are to establish a market and regulate it ; the land to be laid out in lots to be leased, and leases to be granted, not exceeding ninety-nine years, or to convey in fee simple as they may think proper ; those leasing and not fencing for six months, or not building a dwelling-house in eighteen months of the value of three hundred pounds at least, or not supporting it for two years together, forfeit their leases ; town lots not to exceed an acre each, and only one allowed to one person ; the trustees are empowered to convey fresh water to the town by canals, &c. from the water-mill on Cornwall estate, and to purchase the land through which it is necessary to convey it. In cases of refusal a jury to be summoned ; they are also empowered to cut a canal from the sea for shipping, and landing goods. Property of all aqueducts, &c. vested in trustees, and they are enabled to proceed against those injuring them by fine or imprisonment ; the treasurer authorised to receive voluntary subscriptions ; monies received for lots to be applied to the purposes of the act, as also monies arising from ground rents ; no person to inoculate for the small pox or other contagious disease in or within one mile of the town, under penalty of five hundred pounds. Churchwardens to be treasurers, and accountable to trustees ; and justices and vestry empowered to raise two thousand pounds for a court-house, actions under this act to commence in twelve months, general issue to be pleaded, and treble costs if plaintiff is nonsuited ; justices and vestry enabled to lay a tax of two thousand pounds for erecting a court-house.—21 Geo. 3, c. 11. They are enabled to raise two thousand pounds more for the court-house, the sum being found insufficient, which is to be kept in repair by a parish tax.—23 Geo. 3, c. 16. A tax of two per cent. laid on transient traders regulated as under title Transient Traders.—37 Geo. 3, c. 11. Justices and vestry empowered to erect a marine hospital, to purchase, sell, or exchange land, and raise money, not exceeding three thousand pounds. They are to furnish the hospital with necessaries, to establish bye-laws, &c. employ officers and servants, and enforce obedience of their regulations by fine, imprisonment and corporal punishment. A duty of one shilling per ton laid on vessels trading north of the tropics, and one half on those

trading between them. To be recovered before a justice by warrant and distress; and custom-house officers clearing out vessels without a certificate of duties being paid, to forfeit fifty pounds, the justices and vestry to appoint a collector, to whom he is amenable. Actions under this act to be brought within six months.—53 *Geo. 3, c. 22.*

See WESTMORLAND.

SCIRE FACIAS

The name of a writ, most commonly to call a person to shew cause to the court why the execution of judgment passed should not be made out.

SEAMEN.

Those entertaining them after the ringing of the ship's bell to set watch, to forfeit forty shillings.—83 *Chas. 2, c. 17, s. 7.* They may be sent to workhouses, if without a license to travel.—32 *Geo. 3, c. 11, s. 1.* If seamen, who have entered into contracts, desert their vessels, or refuse to proceed on the voyage, they forfeit the wages due to them; those absenting themselves without leave, may be apprehended by warrant from a justice, and, refusing to do their duty, may be committed to the house of correction, workhouse, or gaol, and kept to hard labour for thirty days, the master paying one shilling and three pence per day, and other charges attending the confinement, to be deducted out of the wages due, or to be due, if the master consents to receive him back again, otherwise the parish must pay the expence, and the seamen may be delivered over to any of his majesty's ships. Keepers of gaols suffering such prisoners to escape to forfeit ten pounds; but nothing in the act prevents seamen from entering his majesty's service. Publicans who conceal seamen in their shops, or encourage them to desert their vessel, to forfeit their licences, and suffer such imprisonment as a justice may direct, not exceeding twenty days. Disorderly and vagrant seamen may be apprehended, lodged in a place of confinement, and brought as soon as conveniently may be before a justice, who may commit them to the workhouse, or, if deserters, may be delivered to his majesty's ships; actions under this act to be commenced within six months.—35 *Geo. 3, c. 25.* Tax laid on

shipping to maintain hospital in Kingston for reception of sick seamen.—46 *Geo.* 3, c. 16, and 60 *Geo.* 3, c. 15.

See KINGSTON.

SECRETARY OF THE ISLAND.

His office to be kept in St. Jago de la Vega.—33 *Chas.* 2, c. 12. All the original laws of the island to be lodged in his office, which he must shew when required, and grant copies.—33 *Chas.* 2, c. 24. Masters of vessels must give security in his office, in one thousand pounds, that they will not carry any person off the island without the governor's ticket, nor depart themselves without leave, under penalty of fifty pounds; turtlers to give security once a-year.—35 *Chas.* 2, c. 1, and by 45 *Geo.* 3, c. 24, the secretary must not deliver to any person the governor's ticket to go off unless the name has been up twenty-one days, and that an oath has been made, by a reputable person, that he hath known such person go by that name for one year, or as long as in the island, under the penalty of being himself liable to pay the creditors of such person; bonds not sued in two years to be null and void. If a caveat is entered against the name by any creditor, the secretary may grant the ticket on receiving good security, in a bond to the king, for double the amount of the debt, but the person becoming security must justify on oath to the amount of the security, and the secretary is only liable for the debt of those who enter caveats; commanders of packets to give the same security as other masters of vessels.—45 *Geo.* 3, c. 24. The bonds to be taken in the name of the king but for the use of the party, and when judgment is obtained upon them, no execution to issue, until the person is summoned to shew cause why execution should not come against him, and plaintiff prove the damages sustained, and a verdict thereupon returned, and execution shall only issue for amount of such verdict.—35 *Chas.* 2, c. 1. He must have an office in Kingston and Port-Royal.—5 *Wm. and Mary*, c. 4. Surrendered lands must be recorded in his office.—8 *Wm.* 3, c. 1, 2 *Ann.* c. 7. Fees of 10 *Ann.* c. 10, altered by 56 *Geo.* 3, c. 19. He is to record acts of assembly in a particular book, under penalty of one hundred pounds.—10 *Ann.* c. 4, s. 3. Executors, on exhibiting wills to be proved, to give security, and make oath to return a just inventory of the estate with an appraisement, on oath, into his office.—10 *Ann.* c. 18. He must transmit to receiver-general docketts of all deeds or patents, under penalty of twenty pounds.—8 *Geo.* 1, c. 4. He is to record all wills

in his office unrecorded.—4 *Geo. 2, c. 5, s. 9.* He must provide books for each parish to record quit-rent receipts, and record in one month, under penalty of ten pounds, and send a copy to each branch of legislature, under a like penalty.—6 *Geo. 2, c. 7, s. 7.* He is to swear masters of vessels that they have not and will not hire slaves except from owner, or with a certificate from the custos or two justices.—9 *Geo. 2, c. 9, s. 5.* Transcripts lately made in his office declared legal, on his attesting them before the chief justice. He is, under penalty of one thousand pounds to keep all the records in good repair, at his own cost, and have fairly transcribed such as are impaired, and must give bond in five thousand pounds to do so. He must examine all deeds and records, and attest them before the chief justice, under penalty of five hundred pounds. Upon delivering possession, all secretaries to furnish an inventory to the new secretary, to be signed by both, of all books of record in the office, and a copy sent to the clerk of court's office, under penalty of one thousand pounds, all penalties to be recovered in supreme court.—11 *Geo. 2, c. 4.* Attornies, &c. for absentees to make yearly returns into this office of produce, &c. (*See ATTORNIES for ESTATES*).—13 *Geo. 2, c. 9.* Powers of assignees or attornies must be recorded in this office before they can mark writs.—24 *Geo. 2, c. 16, s. 1.* Articles between attornies and clerks must be recorded in this office, as also articles of copartnership between them.—4 *Geo. 3, c. 8.* Copies of inventories of record books and alphabets in register in chancery's office, and clerk of the patents to be lodged in this office.—9 *Geo. 3, c. 17, s. 4.* In cases of controverted elections for members in assembly the original poll is to be sent into his office, and recorded for public inspection.—21 *Geo. 3, c. 15, s. 13.* He is to destroy all papers in his office twenty years, excepting wills; when receipts given for deeds, &c. are lost or mislaid, after being recorded two years, the secretary may deliver such deeds to those to whom it may appear they belong, upon their giving receipts for them, for which he is to receive one shilling and three pence.—21 *Geo. 3, c. 23, s. 5, 6.* Fees of secretary fixed as follow: For recording every deed or instrument of writing, of every kind or description whatsoever, lodged or brought in to his office, not hereinafter mentioned and provided for, at and after the rate of one shilling and eight pence for each sheet containing one hundred and sixty words; for recording every plat, one shilling and eight pence; making out receipts for deeds, and other writings, five pence; dockets furnished receiver-general for conveyance of land, one shilling and eight pence; receiver-general's fee on all conveyances and patents

of land, five shillings; a marriage licence and bond, including drawing out affidavit, filing same, and filing of the bond, and all expences whatever incident thereto, seventeen shillings and six pence; affixing the island seal, ten shillings; entering satisfaction on mortgage, including search, three shillings and four pence; island tickets, including the filing affidavit of identity, three shillings and four pence; making out and filing ticket bond, eight shillings and four pence; underwriting, one shilling and three pence; filing affidavit of debt to underwrite, ten pence; withdrawing underwriting, ten pence; putting up name of person to leave the island, and publishing same, one shilling and eight pence; citations, one name, three shillings and four pence; more than one, one shilling and eight pence; each additional name, sending book into court per order, three shillings and four pence; entering caveat, and publishing same, one shilling and eight pence; publishing proclamations, six shillings and eight pence; recording each law, twenty shillings; recording drop accounts, three shillings and four pence; moving for a writ of error, thirteen shillings and four pence; filing writ of error, ten pence; moving to have the return opened, and furnishing copies, thirteen shillings and four pence; copy of the writ, return, and transcripts, two pounds; filing the same, ten pence; a writ of *certiorari* and return, six shillings and eight pence; filing the same, ten pence; copy of the *certiorari* and return, six shillings and eight pence; filing joinder in error, ten pence; copy of rejoinder, six shillings and eight pence; king's bond on appeal, five shillings; making out a testamentary bond, or an administration bond, in all cases wherein the sum sworn to, according to the rule of the court of ordinary in that respect, shall not exceed fifty pounds, and recording the same, the sum of five shillings, which said bond shall be exempted from the stamp tax; making out in the like case a *dedimus* to swear executors, or administrators, or appraisers, and to return an inventory, including the recording of the same, each the sum of six shillings and eight pence; making out in the like case a probate of a will, or a will and codicils, a warrant of appraisement, letters testamentary, and letters of administration, including the recording of the same, each the sum of three shillings and four pence; which said *dedimuses*, probates, warrant, and letters, shall respectively be exempted from the stamp tax; making out letters of administration, warrant of appraisement, *dedimus* to return inventory, *dedimus* to swear appraisers, above fifty pounds, one pound thirteen shillings and four pence; filling up the bond to return inventory, six shillings and eight pence, so that the whole shall not exceed two pounds six shillings and eight pence; making

out letters testamentary, warrant of appraisement, *dedimus* to return inventory, and *dedimus* to swear executors, one pound thirteen shillings and four pence; filling up bond to return inventory, six shillings and eight pence; making out *dedimus* to swear witnesses and probate, each six shillings and eight pence; recording will, long or otherwise, and *dedimus*es, one pound; filing petition for further time to return inventory, six shillings and eight pence; moving for an order for commission to prove a will in solemn form, three shillings and four pence; commission, sixteen shillings and eight pence; filing interrogatories, ten pence; filing commission, ten pence; order to pass publication, one shilling and eight pence; and that the said secretary shall be entitled to demand and receive a fee at and after the rate of one shilling and eight pence for each sheet containing one hundred and sixty words for all copies furnished by him of the laws of this island, or of any deeds or instruments of writing whatsoever lodged or recorded in his office, to be paid by the persons demanding such copies; for entering each vessel, taking the bond, granting certificate to the naval officer, also administering the oath respecting the carrying of slaves from this island, and all other services, sixteen shillings and eight pence; for the let-pass, and clearing each vessel, ten shillings; for every fort-pass, one shilling and eight pence; for every drogging pass, to regular droggers only, to be taken out every six months, fifteen shillings; for a let-pass to every plantain-boat, to be taken out every six months, seven shillings and six pence; for a fort-pass, ten pence; for each ship's register, sixteen shillings and eight pence; for entering each protest, sixteen shillings and eight pence; for taking out each protest, eight shillings and four pence. Each figure in every deed is deemed a word, if secretary asks more he forfeits fifty pounds. Laws and all other papers to be recorded in thirty days after lodged in office, (extended to ninety days by 80 Geo. 3, c. 23,) under penalty of fifty pounds for every neglect; immediately on any deed or other paper being lodged it must be entered on the file-book; all records must be carefully examined with originals by the secretary, or his confidential clerk, and in one month after each book is full, on the last page an affidavit must be made that they are true and faithful copies, to be sworn to before the chief-justice, or assistant judge of the supreme court, and be signed by the secretary or clerk, under penalty of fifty pounds for every neglect, swearing falsely declared perjury; copies of deeds when called for to be furnished within fourteen days after entry made of such copy wanted in a "Copy Book," to be kept in the office, under penalty of fifty pounds for each day he shall

neglect to keep such book, and for each time he shall refuse to deliver copies within the time limited; he must deliver receipts for all papers lodged with him as soon as demanded, under penalty of fifty pounds for each refusal; he must keep in custody all papers, and allow none to be taken out of office, unless under an order of court, under penalty of fifty pounds for every default; all original deeds to be delivered to those producing the receipts, or to others interested on their giving a receipt upon the margin of the record, and making oath that the receipt has been lost or destroyed, in thirty days, (now ninety days), after such papers have been lodged, under penalty of fifty pounds for every neglect. Office to be kept open from seven until three, sundays and holidays excepted; and all persons to have access to the office, to make searches, and take extracts or docketts, upon paying one shilling and eight pence for every three hours; if he or his clerks refuse access, or interrupt persons making searches, or taking copies, he forfeits fifty pounds for every offence. A fair written table of his fees to be constantly kept up in the office; all penalties not exceeding fifty pounds recoverable before two justices; no person to take upon himself the office of secretary until he takes an oath before the governor that he will faithfully discharge the duties of office, and entered into recognizance before the chief-justice, himself in ten thousand pounds, and two or more securities in five thousand pounds, for the faithful discharge of his office, under the penalty of one thousand pounds, and no person to be taken as his security until he shall make oath before the chief-justice that he is worth two thousand five hundred pounds, after payment of his just debts, and to swear falsely is declared perjury, and all future secretaries are to lodge with clerk of crown and attorney-general respectively a notice in writing of his intention of entering into recognizance, with the names of his sureties, four days before entering into it, and the attorney-general may, if he thinks fit, attend at the time of taking such recognizance, which is to be recorded in the office of the clerk of the crown. If any secretary incurs any of the penalties of this act he is for ever incapable of holding the office. All clauses of former acts regulating fees of secretary, and the securities to be given repealed.—56 Geo. 3, c. 19. He must record in his office triennial slave returns, and send them to secretary of state, under penalty of five hundred pounds. The period of thirty days for recording deeds extended to ninety days; the secretary must, under penalty of one thousand pounds, keep records and alphabets in good order and repair, or which shall be put in good order and repair, and all made while he conti-

must keep his books and records in good order at his own cost; and also have fairly transcribed copies of all such as have been made during his time as require repair. Every future secretary must enter into recognizance, himself in five thousand pounds and two sureties in two thousand five hundred pounds each, that he will, at his own cost, keep the records in good order and repair, and have copies fairly transcribed, of such as require transcribing, which must be carefully examined, and verified on oath as prescribed by 56 Geo. 3, c. 19. The following fees regulated by this act: For the recording of every deed and instrument in writing, of every kind and description whatsoever, brought into his office, and which bye-law he is bound to record in the books thereof, at and after the rate of two shillings, and six pence for each sheet, containing one hundred and sixty words, and that the said secretary shall also be entitled to ask, demand, and receive, at and after the rate of two shillings, and six pence for each sheet containing one hundred and sixty words, for all copies furnished by him of the records of his office, and other deeds and papers filed therein, to be paid by the persons demanding such copies, and also the sum of one shilling and three pence for his attestation to each and every copy of the laws by him attested; and the said secretary shall also be entitled to ask, demand, and receive, for recording, and copies of, plats at and after the rate of two shillings and six pence for each division therein; for filing authority to withdraw, and withdrawing, caveats, each one shilling and eight pence; and for filing affidavits of service of citation each one shilling and three pence; any thing in the hereinbefore recited acts, or in any other act of the legislature of this island, to the contrary thereof in anywise notwithstanding. Penalties to be recovered in supreme court.—60 Geo. 3, c. 23. He must not record papers without legal stamps, under penalty of five hundred pounds for every offence.—7 Geo. 4, c. 8, s. 21.

See RECORDS and STAMPS in Appendix.

SECRETARY TO THE GOVERNOR.

A salary of three thousand pounds in quarterly payments granted to the governor's secretary, in lieu of fees, and if he takes or demands any fees he forfeits five hundred pounds for every offence, to be recovered in supreme court. His former fees to be fixed as additional stamps, for table of which see stamps in APPENDIX. If the secretary grant commissions without stamps, they are void, and he forfeits five hundred pounds. He

to deliver all commissions or appointments within twenty-four hours after signed, if applied for, and after the amount of stamps on them by this and stamp act have been tendered, under penalty of fifty pounds; and he must, under a like penalty, deliver all papers which do not require the governor's signature, within seven days after they have been approved by the governor. He must not issue letters of preference in escheat until fourteen days after application, under penalty of fifty pounds.—3 Geo. 4, c. 13. For table of stamps under this act see STAMPS in Appendix. To pay receiver general sixty pounds rent for his office.—3 Geo. 4, c. 17.

SHEEP AND GOAT STEALING.

Goats suffered to feed on any person's land to be deemed a trespass, and their owners to pay damages and costs of suit.—53 Chas. 2, c. 10. Those who drive away or steal one or more sheep, lamb, goat, or kid, with a felonious intent to steal, or aid or assist in doing so, deemed guilty of felony, and to be punished at the discretion of the court.—47 Geo. 3, c. 22.

SHIPWRECKED GOODS.

Custodes, justices of the peace, and custom-house officers, on application on behalf of vessels in danger of being stranded, empowered to summon all persons to their assistance that may be necessary for the preservation of the vessel, and, if men of war be near, may demand the assistance of their boats, and such hands as they can spare; and, in case the superior officer of such vessel refuse, he forfeits the sum of two hundred pounds, to be recovered by action of debt; those saving such ship or vessel entitled to a reasonable reward, within thirty days after the service is performed, and, if not paid by the owner or master, the vessel to remain in custody of officers of customs, until the parties are satisfied; in case of disagreement, the chief magistrate, on application, must give public notice of a meeting, as soon as possible, of three or more justices, to enquire into the business, and to adjust the quantum of salvage, to be recovered with costs in supreme or assize courts; persons not employed, who, in the absence of others, save the vessel and cargo, and cause the same to be carried into port, or the custom-house, or discover where goods are concealed, to receive salvage; those preserving vessel or cargo must cause examinations on oath to be taken before a justice

as to the name and description of vessel and cargo, &c. to be delivered to the collector or comptroller, who must transmit it to the receiver-general, who must publish particulars in London Gazette and county papers: if no claimant appear, the chief officer of customs must apply to three justices, who are to put him or other responsible person into possession, taking an account thereof, to be signed by such officer, and, if not claimed in twelve months, they are to be publicly sold, or, if perishable, sold forthwith, and the net proceeds transmitted to the receiver-general. When the owner appears, and proves his property before the grand court, the commissioners of accounts must direct the receiver-general to pay the same; persons who molest those employed in saving the vessel, or deface marks, must, within twenty-eight days, make double satisfaction, at the discretion of three justices, or be committed to gaol for six months, and if slaves, to be transported or confined to hard labour for life, or otherwise punished as the court may deem proper; force may be used to repel them; goods stolen or removed to be returned on demand, or forfeit treble the value; persons making a hole in bottom of vessel, steading a pump, or otherwise injuring a vessel in distress, stealing goods therefrom, beating with intent to kill, or preventing persons from escaping, or putting out false lights to bring a vessel in danger, declared guilty of felony, but, if effects of small value be stolen, without cruelty or violence, the offender may be indicted for petty larceny. Justices having information of goods being carried off and concealed, or on suspicion thereof, to issue search warrants, and if the person concealing do not, on demand, deliver them up, he may be committed to gaol for six months, or until he pay treble value, or if a slave to confinement for hard labour, or such punishment as a slave court may think proper; if such goods are offered for sale they may be seized and carried before a justice, and if the person offering them do not appear to support his claim in fourteen days, they are to be delivered to the owner; the person offering them for sale may be committed to gaol for six months, or until treble the sum be paid, and if a slave to be transported, confined to hard labour, or such punishment as a slave court thinks fit; any person assaulting the custos, justices, or other persons lawfully authorised, to be committed to the common gaol not exceeding three years, and subject to such fine as the court may inflict; and, if a slave, may be punished by death, transportation, or confinement to hard labour, as the court sees fit. In actions the general issue may be pleaded, and the act given in evidence, and in case of non-suit, discontinuance, or judgment for defendants, to recover

full costs, and any officer of the customs convicted of abuse to forfeit treble damages, and be rendered incapable, damages to be recovered in supreme court; in all process under this act against justices or officers of customs a month's notice must be given, containing the cause of action, and the name and abode of the attorney or agent, who is to receive twenty-six shillings and eight pence for making out and serving same, such notice to be proved on trial, and no evidence to be given but such as is contained in the notice.—53 Geo. 3, c. 25.

SLAVES.

The laws concerning slaves as property, &c. will be found under the different heads, but the slave law itself has been omitted, because it is presumed that all interested in their management have a copy at length, and on account of the unexpected disallowance of the act of 1826, which may occasion considerable alterations in the ensuing session of assembly.

By the disallowance of the law of 1826, the slave law of 1816 revived, which is now in force, as well as the following:—No sentence of death to be carried into execution unless by warrant under the hand and seal of the governor, except in cases of actual rebellion, or rebellious conspiracy, when the sentence must be carried into execution as formerly. The evidence and a copy of the charge against slaves tried for capital offences, to be transmitted to the governor, certified under the hand and seal of the presiding magistrate, or, in case of his death or absence, of one of the other justices constituting the court.—2 Geo. 4, c. 16. Persons committing a rape on a slave under ten years of age, declared guilty of felony without benefit of clergy, as well as those who commit any manner of rape on any female slave, but not to extend to corruption of blood, or forfeiture of lands or goods. 4 Geo. 4, c. 15. Any person having legal or equitable estate for life, or other freehold interest, in actual possession, and desirous of manumising slaves, may make application for that purpose to the custos or senior magistrate, giving a written statement on oath, stating the nature of the case; on which he must associate with him two other magistrates, and if the application appear to any two of them to be well founded, three indifferent persons to be appointed valuers, one to be named by each of the parties interested, and the third by the magistrates, and if no party appear in behalf of the slaves, the magistrates, who must be disinterested, to nominate two. Before such proceedings, however, notice must be given in the three county newspapers for

three weeks successively of the intention to make application, stating the name of the party applying, the name of the slave, and the place where resident the last twelve months. When the valuation is reported and approved, the justices to authorise the receiver-general to receive the amount, and to place it to the credit of the person interested, with an interest of six per cent. and grant a certificate that the same has been paid, upon production of which, the justices may give order to have the manumission executed, according to the following form:

Whereas A. B. of _____ did, on the _____ day of _____ last past, appear before us, and did make a statement, upon oath, that he was tenant for life (or as the case may be), and in the actual possession of a certain slave named _____, and that he was desirous that the said slave should be made free, but that he was prevented from so doing by reason of legal impediments: And whereas the said slave named _____ hath been valued by three indifferent persons at the sum of _____ pounds, and a certificate of the receiver-general hath been produced to us, that the amount of such valuation hath been paid into his office: We do therefore, in pursuance of an act of the governor, council, and assembly, declare, the said slave to be free. In witness whereof we have hereunto set our hands and seals, this _____ day of _____

The order for manumission and receiver-general's certificate, to be recorded, and the originals not delivered without an order of court. The purchase money made liable to the same descent, limitations, &c. as the slaves would have been, and to be paid by order of a court of chancery, or supreme court, and the interest, according to the rights of owners. If a slave thus manumised, belong to a tenant for life, or a tenant for life become entitled to interest, and such slave, if a male, die in the life time of the tenant, or, if a female slave, die without leaving any child, born after the manumission, or such child die in the life time of the tenant for life, the persons in remainder are not entitled to the principal or interest, but deemed the property of the tenant for life, without prejudice to creditors. The bond formerly granted to churchwardens in cases of manumission declared unnecessary; but the slave must be produced to the magistrates and vestry, who must be satisfied the party is not manumised for the purpose of relieving the owner from the maintenance of an infirm slave, to be certified by the clerk of vestry, and recorded with the deed. 5 Geo. 4, c. 21. No slave to be levied upon on Saturday, and they are also exempted on that day from all process, and from levies of collecting

constables. 5 Geo. 4, c. 22. Any pecuniary bequest or legacy of a chattel to a slave to be legal, and executors, &c authorised to pay or deliver the same; but nothing in the act to be deemed to authorise actions at law or equity for recovery of such legacy, or to make it necessary to make any slave a defendant in suits of equity. 6 Geo. 4, c. 19.

See CORONER, DOWER, EXECUTION, FOREIGN SLAVES, INVEIGLING MANUMISSION, MAROONS, PARTIES, POSSESSION, POUNDS, PRODUCE, PROVOST-MARSHAL, REPLEVIN, SLAVE REGISTRY, TITLES TO SLAVES, TOLLS, WORKHOUSES,

SLAVE REGISTRY.

All persons in possession of slaves to give in true lists of them to clerks of vestry, according to forms prescribed by this law, which the receiver-general is directed to provide, and furnish to clerks of vestries, to be by them distributed at the rate of five pence per sheet. Such returns to be made every third year, commencing with twenty-eighth June, 1817, to be verified on oath, and to be given in by twenty-eighth September, after which, clerks of vestries are not to receive them, under a penalty of one hundred pounds, but justices and vestry may, upon oath of inadvertence or unavoidable cause, receive them until thirty-first December. Clerks of vestry to endorse on the returns the dates when lodged, and to keep them as records, under penalty of five hundred pounds, and under a like penalty, he must have copies made, verified on oath, with an alphabet to be lodged in secretaries' office, by twenty-eighth February, and the secretary, under penalty of five hundred pounds, have them recorded and delivered to the governor's secretary, to be transmitted to the secretary of state. A certified extract from vestry or secretary's office declared evidence. Those omitting to make returns, to forfeit one hundred pounds for each slave omitted, to be recovered by action of debt; and on judgment being recovered, the attorney-general to file an information against such slaves as if imported contrary to abolition laws, and the parties interested must prove non-importation, and if no defence taken first court, those having reversionary interest, &c. may take the defence the following court; if verdict for defendant, the slaves to be held as formerly, if judgment for the crown, the slaves to be disposed of under the abolition laws. Secretary and clerks of vestries to be paid by the public for recording, and by the parties for copies or extracts.—Clerks of vestries to be paid also one shilling and three pence

for receipts. Accidental omissions or irregularities to be rectified on application to the governor before the thirty-first December, who may order clerks of vestry to receive such amendments, attested copies of which to be sent to secretary's office in fourteen days; in such cases, if prosecutions have taken place, the supreme court may order proceedings to be stayed. Persons swearing falsely, declared guilty of perjury. Penalties to be recovered by action, and returns, receipts, &c. exempted from stamp duty.—57 Geo. 3, c. 15.

SMUGGLING.

For the prevention of smuggling collectors and comptrollers at the different ports, on the entry of vessels, shall make out from their papers, certificates of the quantity and kinds of liquors and other goods imported, to sign (them) and transmit them to the naval officer, who must compare them with the tickets, manifests, &c. and sign the certificates if correct, and transmit them to the receiver-general, who shall make out herefrom, and the manifest required by law to be lodged in his office, an account of the duties, sign the certificate, and return it to collector and comptroller, to be filed in the collector's office before a permit is granted for landing. Casks until gauged, to be estimated as follow: butts a hundred and forty gallons; pipes a hundred and twenty-six gallons; hogsheads sixty-three gallons; quarter casks thirty-one gallons, and duties to be charged accordingly. No goods to be landed until duties paid, or bond granted, under penalty of forfeiture. Receiver-general to pay custom-house fees, &c. out of duties received. Masters of vessels, under penalty of two hundred pounds, in forty-eight hours after arrival, and before breaking bulk, must pay the duties, or deliver up registers, taking receipts for them, which the receiver must detain until duties paid, allowing the deduction of ten per cent. for leakage and prompt payment, by revenue act, 1 Geo. 2, c. 1. When information is lodged on oath of concealed goods writs of assistance to be granted.—(See ASSISTANCE.) No wines to be landed until duties paid, or bonds granted; duties to be returned on exportation. The receiver-general, under penalty of two hundred pounds not to clear out any vessel, having wine on board, until a duplicate of the manifest is delivered to him and filed in his office. Goods seized as forfeited, not exceeding in value one hundred pounds, to be proceeded on in a summary way before a judge of the supreme court, or two justices, who may summon witnesses, take examinations, and

issue warrants for sale, and their sentence not liable to any appeal, nor removable by *certiorari*. Seizures of small vessels of fifteen tons or under, where the vessel alone is seized, or a cargo not exceeding in value fifty pounds, to be adjudged in same manner. Those entering claims to goods in court to give security in one hundred pounds, to pay costs: and duties on wines to be paid on the actual contents of the casks.—28 Geo. 3, c. 15.

See ASSISTANCE, Writs of.

SOLDIERS.

Directors of Bath St. Thomas the Apostle may grant lands, not exceeding thirty acres of Bath land to soldiers, who settle and improve the same.—4 Geo. 3, c. 2, s. 6. No master of a vessel or other person to secrete them, or attempt to carry them off, without a discharge, under penalty of two hundred pounds. No person to hide, hire, or conceal them, under penalty of twenty pounds, and those so concealed, &c. are admitted as evidence.—9 Geo. 2, c. 9. A lot of land at Bath to be laid out for sick or infirm soldiers.—22 Geo. 2, c. 13. Penalties of 9 Geo. 2, c. 9, to extend to all persons concealing or carrying off his majesty's soldiers that may at any time be in the island; and those who buy from them any arms and accoutrements to forfeit five pounds, to be recovered before a justice of the peace, and if the penalty cannot be levied the party may be imprisoned for three months, or publicly whipped.—5 Geo. 3, c. 8. They are liable to be sent to workhouses if they travel without a license.—32 Geo. 3, c. 11.

SOUTHERN INTERIOR REGIMENT.

The governor empowered to form this regiment in the interior parts of Vere, Clarendon, and St. Elizabeth, within the limits of a line drawn on Robertson's map from the River head at Alligator-Pond to the Gutters, from thence to the Look-Out and thence to Oxford estate, in St. Elizabeth, from thence a line due East to the dividing line between Clarendon and St. Elizabeth, from thence to Porus, excluding the works, and from thence following the foot of Carpenter's Mountain to

the sea.—53 *Geo. 3, c. 23.* To be called the Manchester regiment.—55 *Geo. 3, c. 23.*

SPA, *see* JAMAICA SPA.

SPANISH-TOWN, *see* FERRY-TOLL.

SPECIAL JURIES, *see* JURIES.

SPEAKER, *see* ASSEMBLY.

STANDARD WEIGHTS, *see* WEIGHTS.

STAVES, *see* LUMBER.

STEAM-BOAT COMPANY

Incorporated under the name of "The Jamaica Coast Steam Packet Company," to consist of a chairman, twelve directors, two auditors, one treasurer, and one secretary, to be annually elected, the first election on or before the first Monday in February, 1828, and the first Monday in every February following, vacancies to be filled up after twelve days notice; and if an annual election should be neglected, on the day fixed, it may be done within twenty days after; officers may vote, and each member to have as many votes as shares, and each share to be twenty pounds, and may depute by letter any person to vote for him; seven to be a quorum. Quarterly meetings to be summoned the first Monday in February, May, August, and November, when they must account for proceedings; suits on behalf of the company to be carried on in name of any officer, and all actions against the company may be against any one officer, and its property in all prosecutions to be stated as the property of one officer, and his death, resignation, or removal, not to abate such action; no action to be instituted against any member or shareholder for any act done by the company; no more than one action or suit can be brought against the company, if the merits of one has been tried for the same demand. Shareholders may transfer their shares by entry in transfer book, and, in case of death, to pass as personal property; names of officers to be recorded in one month in the secretary's office after election, to be signed by twelve members or shareholders; the shareholders are only liable for their proportion of the company's debts during the time they hold shares; the vessels of the company exempted from port duties for four years.—8 *Geo. 4, c. 21.*

STEEL YARDS

Not to be used in any market, or in retail shops, under penalty of twenty shillings for each offence.—10 *Ann. c. 4, s. 30.*

STEWART-TOWN, *see* TRELAWNY.

STOLEN GOODS.

Warrants may be issued against persons belonging to any sloop, canoe, boat, public wharf, or landing place, where goods are suspected to be stolen, who must swear what and how much were stolen, under penalty of twenty pounds, and those convicted by such confession forfeit double the value, but the oath not to be given in evidence to a charge of felony in any action.—11 *Ann.* c. 3, s. 10: Persons who buy or take in pawn any produce, or articles whatsoever, knowing them to be feloniously obtained, or any person who abets, maintains, or conceals, such thieves, knowing them to be so, are deemed accessories, and equally criminal, and, being convicted, suffer death as principals; if principals convicted, stand mute, or challenge more than twenty of the jury, the same proceedings may be had against accessories, either before or after the fact, as if the principals had been attainted, although they may be by any means delivered before attainder; and accessories, if they be convicted, stand mute, &c. they are to suffer the same punishment as they would have done if principals had been attainted; when thieves cannot be produced to be convicted, receivers may be prosecuted and punished as for misdemeanors, which, if principals are afterwards convicted, exempts receivers from punishment as accessories.—15 *Geo.* 3, c. 10: Search warrants may be granted for stolen goods, but general warrants to search all places are illegal: A justice cannot, on bare surmise, grant a warrant to break open a house to search; but in case of complaint, upon oath, of goods stolen, and that the party suspects the goods are in a certain house, and shews cause for his suspicion, the justice may grant a warrant to search in suspected places mentioned in the warrant, and to attach the goods, and the party in whose custody they are found, and bring them before any justice to be dealt with according to law. It is best the search takes place in the day time, but, in case of positive proof, it may be done in the night: The warrants must be directed to the constable; if the doors be open, the officer may enter and make search; if the door be shut, and not opened on demand, if the goods are there, the officer may break open the door; if the goods are not found, he is excusable in breaking open under the warrant, as he could not know they were not there until search made; but the party who made the suggestion is punishable; every constable may lawfully apprehend any person carrying suspected goods at night, to be brought before a justice; if the goods appear not to be stolen, the justice must direct them to be restored to the possessor; if they are stolen, they must be deposited with the

constable, and when the offender is convicted, the goods to be restored to the owner. The following is the form of a search warrant :

JAMAICA, ss.

Whereas it appears to me J. P. esquire, one of the justices of our lord the king, assigned to keep the peace by the information on oath of A. I. of that the following goods, to wit, have within days last past, by some person or persons unknown, been feloniously taken, stolen, and carried away, out of the house of the said A. I. at aforesaid, in the aforesaid : and that the said A. I. hath probable cause to suspect, and doth suspect, that the said goods or part thereof, are concealed in the dwelling-house of A. O. of ; these are therefore in the name of our said lord the king, to authorise and require you, with necessary and proper assistants, to enter in the day-time into the said dwelling-house of the said A. O. at aforesaid, in and there diligently to search for the said goods ; and if the same, or any part thereof, shall be found upon such search, that you bring the goods so found, and also the body of the said A. O. before me, or some other of the justices of our said lord the king, assigned to keep the peace to be disposed of and dealt withal according to law. Given under my hand and seal at the day of in the (Magistrates' name and seal.)

To any constable of

STRAYS, see POUNDS.

SUBSISTENCE, see TROOPS.

SUMMONS.

Those from supreme and all other courts to be delivered to parties, or left at their dwellings, fourteen days before the court, by a sworn marshal, otherwise the defendant is not bound to appear.—33 Chas. 2, c. 23, s. 10, 8 Geo. 2, c. 5, s. 16. All summonses should contain notice of the charge laid against the party summoned, that he may have an opportunity of defending himself. The following are forms of summonses :

FORM OF A SUMMONS.

JAMAICA, ss.

Whereas information and complaint hath been lodged before me, one of his majesty's justices of the peace for

that A. B. of _____ did, on or about
 the _____ day of _____ [here set forth the offence
 charged in the information.] These are therefore to require
 you forthwith to summon the said A. B. to appear before me
 at the _____ day of _____ to answer to the
 said information and complaint, and to be further dealt with
 according to law: and be you then there to certify what you
 shall have done in the premises. Herein fail not. Given
 under my hand and seal the _____ day of _____
 (Magistrates' signature and seal.)

To any lawful constable of
 the parish of _____

SUMMONS OF A WITNESS.

JAMAICA, ss.

Whereas information has been lodged before me, one of His ma-
 jesty's justices of the peace for _____ that C. D. [here set
 forth the substance of the complaint] and that E. F. of the
 said _____ is a material witness to be examined con-
 cerning the same; these are therefore to require you to sum-
 mon the said E. F. to appear before me at the _____
 day of _____ to certify his knowledge concerning the pre-
 mises. Herein fail not. Given under my hand and seal
 the _____ day of _____ in the year _____
 (Magistrates' name and seal.)

To any lawful constable of
 the parish of _____

SURVEYORS.

In cases of disputes, when, upon survey, there is a variation
 from the plat in patent office, the judges shall adjudge the real
 run and marked lines which are proved before them to be the
 bounds.—2 Ann, c. 7, s. 4. No surveyor to deliver any plat
 to pass the broad seal until he has actually surveyed the land;
 seen the lines made, and marked the first letters of his name on
 the corner trees; the plat truly to represent the land, with its
 bounds and bearings, expressing the sort of wood of every cor-
 ner tree, and the scale of the plat, under penalty of one hundred
 pounds; he must not lay out land to be patented for his own
 use, but must employ another surveyor, under penalty of one
 hundred pounds; on executing writs of view, or orders of court,
 they must in the diagram lay down old lines fixed, or reputed
 boundaries on earth, or by former orders of court, or writs of

view, and annex field notes, under penalty of five hundred pounds. Ten days notice of survey to be given in writing to the proper party, expressing the run, by whom employed, the particular corner and course to be pursued, and the day and hour of beginning, on which course only he shall proceed, under penalty of five hundred pounds. Lands belonging to the king having been settled upon by mistake, such settlers to have the preference in the patent, and any patent to the contrary null and void, and the offending surveyor to forfeit five hundred pounds, and be incapacitated; possession obtained by survey not good without proof of notices being duly served, or attendance of interested parties, such notices to be annexed to the diagram, and an oath that the surveyor proceeded accordingly; if he defaces, destroys, or removes lines on earth, marked trees, &c. he forfeits five hundred pounds, and the same penalty if he returns a plat which is covered by a prior plat, and liable to damages, and the party employing him, knowing a prior plat to exist, subjected to a like penalty: an affidavit of the surveyor must be annexed to all returns that he actually surveyed the land, and to his knowledge it was not covered by a prior plat, under penalty of five hundred pounds. The following fees allowed by s. 11, 12: For reducing or extending, slipping, and fixing each plat, two shillings and six pence, and also all monies that he shall necessarily expend for plats in the public offices; for a scheme or diagram with the field-notes, to be laid before the court, five pounds; for a scheme or diagram for the jury and for the parties, two pounds ten shillings each; for attending the court (if required to attend by either party, and not otherwise), one pound six shillings and three pence per diem; for surveying lots of land in any of the towns, bays, or harbours, each lot one pound ten shillings; for surveying any small piece or parcel of land under one hundred and forty acres, two pounds ten shillings; if more than one piece, one pound seventeen shillings and six pence each; for any single piece or parcel of land above one hundred and forty acres, three pounds, if more than one piece, two pounds each. No charge shall be made by any surveyor of any sum or sums of money per acre, for the contents or number of acres contained in any diagram of lands surveyed or re-surveyed; nor shall any sum or sums of money be allowed by any of the judges of the supreme court of judicature, or courts of assize, in the taxation of any such surveyor's bill, on account thereof: For traversing roads, open river-courses, or open grounds, four pence per chain; for traversing all old lines, river-courses, or gullies, in wood lands, six pence per chain; for protracting one penny per chain; for writing and serving notices, two shillings and six

pence each: for making surveys of plantations or settlements, to wit, for every cane-piece, grass-piece, pasture, or inclosure, five shillings; for running round the lines in wood-land, six pence per chain, and for making a fair plan or diagram, if not above twenty plats, two pounds ten shillings; from twenty to thirty plats, three pounds fifteen shillings; from thirty to forty plats, five pounds; if above forty plats, two shillings and six pence for each plat, contained in such diagram: And, in all writs of view or orders of court hereafter to be executed, the surveyors of land executing the same shall not presume to charge by the acre, for surveying any more than the lands laid down in such diagram as a trespass, under the penalty of five hundred pounds for every offence. If privately employed, he is to have one shilling and six pence per mile, and ten shillings for every day he may be delayed, if through the means of his employer. No person to be admitted as a surveyor, until he has served five years apprenticeship in this island, or been a sworn surveyor in any part of his majesty's dominions, and undergone an examination before three sworn surveyors, to be appointed by the supreme court, who must certify on oath, that he is properly qualified; if he act without such qualification, he forfeits one hundred pounds, and is rendered incapable: before obtaining his commission, he must, under penalty of one hundred pounds, for every offence, give security in five hundred pounds for the due performance of his office, to be recorded in the secretaries office, which may be put in suit for negligence or corruption in manner directed by 35 Chas. 2, c. 1, respecting masters of vessels: Bills for work done on writs of view, or orders of court, not to be taxed by any judge, unless the surveyor make oath at the foot of the account that the work was done, and that it was necessary, and the charges legal, the diagrams must also be explained, when payment may be enforced by attachment. See EJECTMENT for regulation of surveyors in such cases. If illegal fees are charged, he forfeits five hundred pounds, and is incapacitated, and declared guilty of perjury for falsely swearing to the oaths prescribed.—34 Geo. 3, c. 22.

See EJECTMENT.

TITLES.

All titles to land for valuable considerations, by delivery of patents, decrees in chancery, wills, writs of escheat, &c. declared good, if the title unimpeached for seven years.—*33 Chas. 2, c. 22.* Many titles having been destroyed by the earthquake and descent of the French, those in quiet possession for five years declared valid, except in cases of minority, coverture, or insanity, but actions to be brought in three years after competency.—*10 Wm. 3, c. 1.* Titles by patent bar the rights of the crown, if recorded.—*2 Ann, c. 7.* Titles to land or slaves cannot be decided in any inferior courts.—*10 Ann, c. 4.* Records having been destroyed by the earthquake and fire at Port-Royal, possession of lands, &c. for seven years made a good title, except against incapable persons, who must bring actions in three years after capable; bills of sale, conveyances, duly executed and recorded, declared sufficient for slaves and lands, though no valuable consideration mentioned, but no titles valid from minors and insane persons, though for a valuable consideration.—*10 Ann, c. 12.* Titles confirmed where the parties have held property, not belonging to incapable persons, under deed, will, or conveyance, or patent, for which the quit-rents have been paid for twenty years, and possession had for seven years, notwithstanding the title of any prior patentee; but not as to lands devised for charitable uses, nor to mortgagees, lessees, &c.—*4 Geo. 2, c. 4.* Those who have had grants of land near barracks confirmed in their title, if they have made settlements.—*11 Geo. 2, c. 7.*

TITLES TO SLAVES.

Titles to slaves cannot be decided in inferior courts.—*10 Ann, c. 4.* No slave becomes free by being made a christian; and for payment of debts and legacies they are deemed assets and may be taken in execution, where other goods are insufficient to pay, then so many as are necessary to pay debts and legacies must be sold; the remainder are taken as inheritance; all children born in the possession of tenants for life or years, to remain and revert as the parents would do after death of tenant, or expiration of term, excepting as to leases heretofore made; slaves assigned for dower subject to payment of debts but not legacies; and those, possessed in their own right may sell or dispose of slaves during life, which is a perpetual bar to dower.—*50 Geo. 3, c. 21.*

See CONVEYANCE, TOLLS.

TOLLS.

Clerks of the peace, or clerks of the vestry, where there is no clerk of the peace, to keep books, in which it is lawful for all persons resident within the parish or precinct to make entries of slaves sold, in which must be expressed the time of sale, names of vender and vendee, the names and marks of the slaves, and the consideration money, which is declared a good and valid title, and a sufficient record; but no slaves belonging to a *femme coverte* to be thus conveyed, but by deed executed in the manner required to deeds for barring dower; to raise, injure, or destroy the tolls, punishable in the same manner as for records, and if any clerk refuse to enter tolls, on being tendered his legal fee, he forfeits ten pounds, to be recovered before two justices.—50 Geo. 3, c. 21. Copies of tolls to be good evidence in courts, attested by the clerk of peace or vestry, who is to receive five shillings for each copy, and for every entry of a toll the same sum.—28 Geo. 2, c. 7. Toll-books of St. Dorothy and St. Thomas in the Vale declared good.—1 Geo. 3, c. 20. By the stamp act, the clerks of peace and vestry must give receipts for their fees for tolling on a five shilling stamp, for which he is to receive five shillings and seven pence half-penny, and, if he neglects, he forfeits ten pounds, to be recovered before two justices.—7 Geo. 4, c. 8, s. 6.

See STAMPS in Appendix.

TREASON AND CONSPIRACY.

Any person who shall compass or imagine war or insurrection against the government, as by law established, or attempt to overawe the government, or to stir up foreign invasion, by publishing, printing, or writing, or by any overt act, is deemed a traitor, and to suffer death; those who maliciously endeavour to excite free persons or slaves to insurrection or rebellion, or engage in confederacy or conspiracy, for the purpose of effecting a change in the state and condition of free persons or slaves, or by force to compel the government, or any branch of it, to consent to such change, to be adjudged guilty of felony, and suffer death, but not to cause forfeiture or corruption of blood; persons administering unlawful oaths to engage in rebellion or sedition, or to be of any association formed for such purpose, or to obey the orders of any committee of men not lawfully constituted, or any leader not having legal authority; or who does not inform against associates, &c. or reveal any unlawful combination, or any illegal oath or engagement,

shall be adjudged guilty of felony, and may be transported for seven years; compulsion not to justify, unless within four days after force is removed, discovery is made to a justice; those assisting in administering illegal oaths, or causing them to be administered, though not present, to be deemed principals, and it is sufficient if the purport of the oath be set forth in evidence, and to be deemed an oath in whatever manner administered or taken. When any person is apprehended for offences against this act, the governor to issue a commission, directed to the chief justice and other judges, authorising any three, of whom the chief-justice or judge of admiralty to be one, being a barrister of five years standing, to try the cause before a jury, to be summoned by the provost-marshal; a copy of the indictment to be delivered to the person tried five days before the trial; justices or police officers, receiving information on oath, or having reasonable cause of suspicion of such improper assemblies, are authorised to require assistance of all persons, and to disperse such meetings in his majesty's name, and if they continue together for half an hour after such notice, on proof of sedition, they are to be adjudged guilty of felony, and may be transported for seven years, and those opposing or obstructing the justice, or others assisting him, are guilty of same offence, and liable to a like punishment; those returning from transportation before the time expires, to suffer death; prosecutions to be commenced in six months after offence, and if a verdict pass for defendant, the plaintiff must pay costs, and, if he is unable, the commissioners of accounts to direct receiver-general to pay them; no writ is to be sued against any person acting under this act, without one month's notice given, and which must set forth the cause of action.— This act only in force for one year as far as relates to seditious meetings, but an annual act has passed every year, declaring it in force,—4 Geo. 4, c. 13, and 8 Geo. 4, c. 13

See TREASON in Appendix.

TRELAWNY, PARISH.

This parish divided from St. James, for which see boundaries, with all the rights of other parishes.—14 Geo. 3, c. 31. Justices and vestry in addition to general provisions for churches, &c. empowered to raise ten thousand pounds sterling, for the purpose of erecting public buildings at Falmouth, which they are empowered to design, to remove the fort, to purchase lands, and, in case of obstruction, to summon juries for that purpose; to contract for the buildings, and to keep them in re-

pair at the expence of the parish ; to purchase, if they think proper, the court-house at Martha-Brae ; and made a body corporate for the purposes of the act.—35 *Geo. 3, c. 28.* Fort Dundas at Rio-Bueno, put on island establishment.—40 *Geo. 3, c. 36.* Two or more justices may issue warrants for the destruction of hogs found at large in Falmouth, Martha Brae and Rio Bueno, and hogs and goats found in cane pieces or other cultivated and inclosed fields, may be killed by the owner or possessor of such plantations delivering the carcase to owner, if applied for in six hours, after which it may be disposed of as the killer pleases.—41 *Geo. 3, c. 31.* Commissioners appointed to sell Fort Balcarres and land, and erect another Fort at Palmetto Point, and justices and vestry empowered to raise three thousand pounds for the purpose, the fort to be placed on public establishment.—44 *Geo. 8, c. 25.*

TRELAWNY WHARFAGE, *see* FALMOUTH.

MARTHA-BRAE, IN TRELAWNY.

For the repair of this harbour vessels trading north of the tropic, to pay as follow: Every ship, fifteen shillings, every brigantine, snow, or bilander, ten shillings, every sloop or schooner, seven shillings and six pence, and all trading between the tropics, one half; sugar droggers and coasters excepted, who must pay two shillings and six pence every three months; and no vessel to be cleared out until duties paid, under penalty of fifty pounds on receiver-general, if the water bailiff has furnished him with the certificate of mooring, which the master of vessel is obliged in three days to sign, under penalty of forty shillings, to be recovered before a justice; the governor to appoint a bailiff and fix his salary not exceeding one hundred and forty pounds per annum, which justices and vestry are empowered to raise; no vessels to swing nearer to a wharf than fifty fathoms, nor keep a stern fast, unless to load or unload, under penalty of ten pounds, to be recovered before two justices; nor within one hundred yards in the hurricane months, under some penalty; water bailiff to make good all damages arising from his negligence or ignorance, and no commissioner nor wharfinger can act; disputes concerning mooring to be settled by commissioners who are the justices and vestrymen; no ballast, stones, &c. to be thrown into the harbour under penalty of ten pounds, recoverable before two justices; the harbour master to have sole direction of vessels on fire, and five hundred pounds penalty laid on persons obstructing him, to be recovered in supreme court.—23 *Geo. 3, c. 27.*

STEWART-TOWN, TRELAWNY.

The justices and vestry of Trelawny made commissioners under the name of "The Commissioners of Stewart Town," two justices and six vestrymen a quorum, to hold property not exceeding ten thousand pounds, and authorised to purchase lands, and, in case of obstacle, to summon juries to value, and lay out the lands in lots of a town to be called Stewart-Town; they are empowered to establish bye-laws to regulate the town, not repugnant to laws of the island, to appoint officers, to sell and lease lots, to impose taxes on the town for its support, to lay a tax on parish of five hundred pounds per annum, for three years, for the purposes of the act, to punish offenders, and no proceedings under the act to be removed but by certiorari into supreme court.—53 Geo. 3, c. 19.

See FALMOUTH.

TRELAWNY TOWN, *see* MAROONS.

TROOPS, SUBSISTENCE OF.

The following rations to be supplied his majesty's white troops, to the number for which the country stands pledged, seven pounds of good salt or mess beef, or, in lieu thereof, five pounds of mess pork; seven pounds of good flour; one and three quarters of a pint of proof rum, not less than one year old, for every non-commissioned officer, drummer, or private soldier: two third parts of the like rations, excepting rum, for each of their wives, and one half for their children, every week, and in two days of each week, one pound of good fresh beef for each day, in lieu of a ration of salt provision for such day; to be supplied the first day of every week, by persons appointed by the commissioners of accounts, and to be paid for by receiver-general.—30 Geo. 3, c. 9. Rations altered to one pound of good salt beef, one and half pounds of good salt mess pork, four pounds of good fresh beef, seven pounds of good flour, and one and three quarters of a pint of good rum not less than a year old, each week, and not more rations shall be issued than for ten women and their children, for every one hundred men of regiments now in the island, and six women and their children for those that may hereafter arrive.—2 Geo. 4, c. 21. Commissioners appointed to purchase land for the permanent settlement of certain troops.—40 Geo. 3, c. 27.

See COMMISSIONERS OF ACCOUNTS, *Appendix*.

TRUSTEES *see* ATTORNIES.

*Invited to send accounts
see Account - p 2.*

TURTLE.

Those destroying turtle nests, or taking away the eggs, forfeit forty shillings or receive corporal punishment.—33 *Chas. 2*, c. 4, s. 2, and a sum not exceeding twenty pounds by 8 *Geo. 4*, c. 14. Not to be sold by retail but in open market under penalty of forty shillings.—5 *Wm. and Mary*, c. 6. s. 4, 7. Turling vessels not obliged to have pilots.—46 *Geo. 3*, c. 29, & 8.

UP-PARK-CAMP.

Commissioners appointed to bring the water from ~~Papine~~ ^{Papine} estate, viz. the officer commanding the forces, the custos and representatives in assembly for St. Andrew, the deputy adjutant-general, the deputy quarter-master general; the deputy inspector of hospitals, the military secretary, the officer commanding the royal engineers, and the officers at the head of the commissariat, five a quorum, empowered to appoint officers and clerks, to treat for purchase of lands even with incapable persons, and to call in juries to value, and to tender such valuation, and to take possession for the crown; to lay out and construct such buildings, aqueducts, pipes, &c. as may be necessary for conducting the water to Up-Park-Camp, and to lay pipes, &c. in the public road, the use of the water to be vested in the king; materials may be laid on adjoining lands, but compensation made for damage; persons injuring or destroying any of the works, declared guilty of felony; those throwing filth into, or polluting the water, or obstructing it, to forfeit one hundred pounds for each offence, recoverable in supreme court.—6 Geo. 4, c. 16.

VAGABONDS

Those found wandering about, or misbehaving themselves, to be carried before a justice, who, if they refuse to work, may order them to be flogged, and sent from parish to parish, the nearest way to where they have last dwelt for a year.—35 *Chas.* 2, c. 11. May be confined to hard labour in the workhouse for a space not exceeding six months.—32 *Geo.* 3, c. 11.

See WORKHOUSES.

VENDITIONI EXPONAS.

Where no goods can be levied on but negroes, working cattle, or plantation utensils, they must remain in defendants possession, and on marshal returning, that he hath levied on such effects, a venditioni exponas to issue in the following form :

THE KING TO THE PROVOST-MARSHAL, GREETING.

Whereas we lately commanded thee by our writ, that of the goods and chattels, real and personal, of A. B. thou shouldst levy, or cause to be levied, as also costs of suit, which C. D. hath recovered against him ; by virtue of which writ thou didst return unto us, that thou hadst taken in execution of the goods of the said A. B. to the value of the said debt and costs of suit ; which said goods remain in the custody of the said A. B. [We therefore command thee, that the goods of the said A. B.] by thee in form as aforesaid taken, thou expose to sale, and the money thereof coming thou immediately render to the said C. D. for his debt or damages, and costs, as aforesaid ; but if the goods aforesaid shall be embezzled or made away, or that the said A. B. doth not deliver the same, that then thou levy the said debt or damages, and costs, upon any other the goods and chattels of the said A. B. and immediately expose the same to sale ; and if thou canst not find sufficient goods or chattels, by which the whole debt or damage, and costs, may be satisfied, that then thou take the body of the said A. B. and him safely keep, so that thou have his body before us at our next court, to satisfy the said C. D. of the said debt or damages, and costs, or so much thereof as by thee cannot be levied ; and have thou then and there this writ. Witness, &c.

Under which they must be sold in twenty days, and money paid in ten days after ; but no levy to be made on negroes, working cattle, &c. if stock on a pen are offered ; effects may be levied on though defendant may be in custody.—33 *Chas.* 2, c. 23. Writs of execution and venditioni exponas must be en-

dorsed by plaintiff, his lawful representative, attorney at law, executor or administrator. If endorsed for more than is due, a forfeiture of one hundred pounds is incurred; and if by an attorney at law, wilfully, he is rendered incapable of practising.—24 Geo. 2, c. 16.

See JUDGMENTS, EXECUTION, PROVOST-MARSHAL.

VERE, PARISH

To send two representatives to assembly.—33 Chas. 2, c. 1. The name given to the parish confirmed.—33 Chas. 2, c. 18. Part of Carpenter's mountains annexed to this parish, (See ST. ELIZABETH'S).—12 Geo. 2, c. 6. Plat books of parish lately transcribed declared legal when attested by clerk of patents.—9 Geo. 3, c. 17. Justices and vestry empowered to purchase a court-house, and for other parochial purposes, with a sufficient quantity of land, and to raise two thousand pounds for such purposes, and to proceed by jury to enforce sales, and award compensation.—51 Geo. 3, c. 22.

VERE FREE-SCHOOL.

Former acts repealed. The school to continue in Vere, and to be called the Free-School of the parish of Vere, and lands, houses, and real and personal estate vested in the governor, the president and members of the council, the speaker and members of the assembly, the chief-justice, and the attorney-general, the custos, rector, and senior churchwarden of Vere, the custos and rector of Manchester, and custos and rector of Clarendon, as trustees and governors, who are made a body politic and corporate for the purpose of holding and managing all its concerns, with power to sell, convey, or lease, or to purchase, sue, and be sued, and to have a common seal, a boy with a book in his hand on one side, and another with a mallet and chissel, making a cotton gin, both in a circle, round which is the motto *Eruditione et Labore*, to be deposited with the chief magistrate of Vere. The trustees to meet once in every year, in Spanish-Town, while the legislature is sitting, to examine its state and make orders and regulations; any three trustees may call extra meetings at St. Jago de la Vega, or the school-house, giving two weeks notice in St. Jago and Royal Gazettes; head and under masters to be elected at the annual meeting, or an extra meeting, in St. Jago de la Vega, and the head master must be a clergyman of the church of England; the trustees may remove or suspend head or other masters for misconduct, and make bye-laws and ordinances;

the president, the speaker, attorney-general, custos, members in assembly, rector and senior churchwardens of Vere, Manchester, and Clarendon, and any persons appointed at the annual meeting in Spanish-Town, are visitors and electors of scholars, and, on the second Tuesday in March every year, meet at the free-school to nominate scholars from any part of the island, in the order in which the trustees are mentioned and the elector who stands next in order to him whose nomination has succeeded, shall, in the succeeding year, be the first to nominate, and so on. Vere and Manchester boys must make application to the custos of their parishes, who must lay before the March meetings the names of applicants, the Vere ones to be placed at the head of the list and admitted in that order; the head master may take in other scholars, at such salaries as the electors fix; the master and all persons employed in the school exempted from militia duties; all moneys coming to the hands of trustees in any way to be invested in hands of receiver-general for the use of the public for ever, at an interest of eight per cent. who must keep a separate account of the fund.—2 Geo. 4. c. 19.

VESTRY, see JUSTICES and VESTRY in Appendix.

WARRANT.

If a justice see a felony, or breach of the peace, committed, he may apprehend the felon in his own person, or order any one to apprehend him, without writing, but, if in his absence, he must issue his warrant in writing. A warrant may be granted for treason, felony, or *præsumpture*, or any offence against the peace, or for offending against any law; but when the king is no party, or no corporal punishment appointed, as in cases of servants' wages, a summons is the proper process. Though not always necessary, complaint should be made on oath, on the matter for which the warrant is demanded, and such examination should be written, and the party should be bound over to give evidence. General warrants against all persons suspected are illegal. Warrants should set forth the time and place of making, and the cause for which they are made, and should be directed to the constable or peace officer, requiring him to bring the accused party before any justice, or only before him who grants the warrant, in which case it is called a special warrant. If persons against whom warrants are issued escape to other parishes, they may be endorsed by a justice of such parishes, on proof of the hand-writing of the justice granting the warrant. The following are forms of warrant and endorsement:

FORM OF A WARRANT.

JAMAICA, &c.—ST. CATHERINE.
Whereas information on oath of A. B. has been lodged with me C. D. one of his majesty's justices of the peace for the parish of _____ that E. F. of the said parish, _____ did on the _____ day of _____ [here state the nature of the offence.]

These are therefore to command you in his majesty's name forthwith to apprehend and bring before me, or some other of his majesty's justices of the peace the body of the said E. F. to answer unto the said complaint; and to do further docket with according to law. Herein fail not. Given under my hand and seal this _____ day of _____

(Magistrate's name and seal.)
To any lawful constable _____ of the parish of _____

FORM OF ENDORSING A WARRANT IN ANOTHER PARISH.

JAMAICA, &c.—ST. MARY.
Forasmuch as proof upon oath hath been made before me A. B. one of his majesty's justices of the peace for the aforesaid parish that the name C. D. is of the hand-writing of the justice of the peace within mentioned; I do hereby authorize

E. F. who bringeth to me this warrant, and all other persons to whom it is directed, to execute the same within the parish of St. Mary.

*Given under my hand the day of
(Magistrate's name.)*

WAYWARDENS, *see* HIGHWAYS.

WEIGHTS AND MEASURES.

Butter, soap, candles, tallow, rice, flour, and biscuit, must be sold by weight, and not by invoice, under penalty of forty shillings for each parcel.—11 Geo. 3, c. 12. The receiver-general to procure for each parish a set of standard weights and wine measures, with beam and scales, to be deposited in such place, and with such person, as the justices and vestry direct, but not to affect the patent rights of the clerk of the markets; the person appointed to give receipts for them, must replace all lost through his carelessness; all persons must use weights and measures regulated by them, and defaulters to be fined not exceeding twenty pounds, except in cases of gross fraud, for which the party may be indicted. Justices and vestry required yearly to fix a time for examining weights and measures, and those neglecting to prove their weights and measures to forfeit twenty pounds, and, if justices and vestry do not fix days for proving them, each forfeits five pounds. For every weight or measure so proved, five pence to be paid to the person appointed to keep the standards, by those to whom the weights belong, payment to be enforced in a summary manner before a justice, and the justices and vestry empowered to pay him a sum not exceeding fifty pounds per annum, in addition; those refusing to prove their weights and measures, to be indicted in quarter sessions, and fined not exceeding fifty pounds, or imprisonment not exceeding three months; besides proving, in cases of disagreement about weights used by public wharfingers, or any others, either party may demand an examination by the standard, and the person having charge shall be obliged to attend and prove, to be paid, besides the rate allowed, such reward for his trouble as any justice shall award, who is empowered to enforce payment. All penalties of twenty pounds and under to be recovered in a summary manner before two justices.—45 Geo. 3, c. 18. All articles sold by dry measure, to be regulated by the Winchester measure, and not by wine measure, as mentioned in preceding act, and the receiver-general to import a standard half bushel, gallon, and quart for each parish.—55 Geo. 3, c. 20.

WESTERN INTERIOR REGIMENT.

The governor empowered to raise a regiment of foot in the interior parts of Hanover, Westmorland, and St. James, to be called the "Western Interior Regiment," within the lines described, viz. to begin from the meeting of the lines of St. Elizabeth, Westmorland, and St. James, upon Great River, along the lines of St. Elizabeth and St. James, to the line of Trelawny, thence north along the lines of St. James and Trelawny to due east of George Gordon's, to the Blue-hole of Montpelier, thence to intersect the Great River at Lethe Dam, from that intersection down the River, until it arrive at that angle of the river which is due north of the new Mill's works, thence in a direction due west until it intersect the king's road which leads southerly to Chidwell and northerly to Flint-River, from that intersection to the north western part of Mr. Sawyer's settlement, thence due south to the line of Westmorland and Hanover, and thence to the westernmost and southernmost buildings on Haddo estate, in Westmorland, thence to the southernmost building on William Haldanes settlement, in Westmorland, thence to the first mentioned Point, under the same regulations as other regiments of militia.—47 Geo. 3, c. 27.

WESTMORLAND, PARISH

Divided from St. Elizabeth, by boundaries described under that name.—2 Ann, c. 1. And the parish of Hanover taken off from Westmorland, by a boundary line set forth, under the name of that parish.—16 Geo. 1, c. 5. A public road to be cut in this parish from the cave to the West end of St. James.—11 Geo. 1, c. 3. Toll and register books having been damaged in the storm to be transcribed, and when transcripts attested by clerk of peace they are deemed authentic.—21 Geo. 3, c. 18. No wain or carriage for produce (carts with two mules or horses excepted) to pass the highways, unless the wheels be seven inches broad in the fellies, except on roads lying to the eastward of the Cave, and to the northward of Dean's Valley, and to the westward of Springfield and Negril Spots, under penalty of twenty shillings for every offence for each wheel, and, for a less breadth than six inches each wheel forty shillings, to be recovered before a justice; but wheels may be used with fellies only six inches broad, on four-wheeled carriages, for conveyance of goods, the fore axle whereof shall be twelve inches shorter or twelve inches longer than

the after axle trees.—29 Geo. 3, c. 18. The rates of wharfage of this parish the same as in other parishes in Cornwall, see FALMOUTH.—44 Geo. 3, c. 26.

MANNING'S FREE-SCHOOL, WESTMORLAND.

Thomas Manning having bequeathed certain land, negroes, cattle, &c. for keeping up a free-school in Westmorland, and for the use of the poor, and other sums being subscribed, trustees appointed to manage the same, but others substituted by the following act, with the same powers: They are incorporated, under the name of "Trustees of Manning's Free-School," with powers to receive gifts, devises, &c. sell, lease, purchase, sue and be sued, &c. to have a common seal, on which shall be engraven charity, with a sucking child at her breast, and another in her arms, to be kept by the custos; they are empowered to erect buildings, and employ masters, being of the church of England, to instruct in reading, writing, arithmetic, Latin, Greek, the mathematics, and other learning, also providing all necessities, trustees to receive as many children as they think proper, and to discharge them, or the masters, for misbehaviour; and to make such regulations as they deem proper, but not to keep in their hands any monies above thirty days, nor to borrow the money, nor buy, sell, lease, or rent, to one another. Offenders against the act to forfeit fifty pounds, to be recovered by action.—11 Geo. 2, c. 9. The custos, members in assembly, three of the senior magistrates present, the rector, and any five freeholders, elected by freeholders on the first Monday in August in every year, appointed trustees, five to be a quorum, but the custos, or one of the members of assembly, or one of the three senior magistrates, actually residing, shall be of the number; all property vested in them, with the same power as in preceding act, all parts of which ratified except the clause repealed appointing trustees.—9 Geo. 3, c. 4. Certain trustees empowered to sell ninety-six acres of land and apply the purchase money to discharge the debts of the charity.—33 Geo. 3, c. 13. Trustees appointed to sell the slaves, proceeds to be invested in the public funds, at the rate of six per cent. to be applied to the support of the school.—51 Geo. 3, c. 25.

WHARFAGE AND STOREAGE.

Those in possession of wharves, who receive payment for any goods, &c. landed or delivered, or on the adjacent beach, deemed to be public wharfingers; such wharves to be pro-

vided with a sufficient number of houses, in good condition, sheds, stores under lock and key, skids, tarpaulins, weights, and scales, and a wharfinger at all times from sunrise to sunset, ready to receive and deliver, and every particular hogshead, puncheon, cask, or other package, in its nature requiring weighing or gauging, shall be weighed and gauged by the wharfinger, under a penalty of fifty pounds for every default; a wharf-book must be kept to enter all goods received or delivered, and the weights, gauges, and quantities, also marks and numbers, and names of persons and estates from whom received or delivered, and every such wharf-book shall, within twenty-eight days after the first of January in every year, be sworn to as follows: "*I A. B. wharfinger at*

or clerk to wharfinger at
do swear that the account contained in this wharf-book, for the year ending thirty-first December last, is just and true in every particular, to the best of my knowledge and belief." Which oath may be administered by any magistrate not interested; and, in case of neglect, no wharfage can be recovered by action, and the wharfinger made liable to a penalty of five hundred pounds, recoverable by action. A table of rates must be kept open for inspection at every wharf, under penalty of twenty pounds, and, in parishes where no rates exist, those established by 25 Geo. 3, c. 5, to be in force, and no greater rates to be charged, under penalty of twenty pounds. Wharfingers to give receipts for goods received, under penalty of twenty pounds, and may retain goods until the wharfage is paid; in cases of damages by wharfingers not exceeding fifty pounds, as well as penalties hereby imposed, they may be recovered before three justices, before whom the testimony of the person suing is admissible, and payment to be enforced by warrant.---44 Geo. 3, c. 13.

The following are the rates of wharfage fixed by 25 Geo. 3, c. 5, but particular acts have made them different in different parishes, which see under their proper names:

	£.	s.	d.
For each anvil	0	2	6
For each dozen of hoes, bills, and axes, loose	0	0	7½
For each barrel of tar and pitch	0	0	7½
For each barrel of beef, pork, and flour	0	0	5
For each barrel of herrings	0	0	7½
For each bag of feathers	0	0	7½
For each bag of ginger under 1 cwt.	0	0	4
For each bag of pimento	0	0	7½
For each small bale, 200 lb. and under	0	1	3
For each middling bale, from 200 lb. to 400lb.	0	2	0
For each very large bale	0	5	0
For each small boufet	0	2	6

For each large beaufet	0 5 0
For each but	0 5 0
For each small box of glass	0 2 6
For each large box of glass	0 5 0
For every four boxes of soap or candles	0 0 10
For each box of dry goods	0 1 3
For every ton of bar iron	0 5 0
For every hundred of iron hoops, and in proportion for a greater or lesser number	0 0 7½
For each bundle of wain tyre	0 1 3
For every four packs of puncheon staves	0 0 7½
For every bundle of leather	0 0 7½
For every thousand bricks	0 0 5
For each bureau	0 2 6
For each chest of bacon	0 1 3
For each chest of arms	0 5 0
For each chest of medicines, if small 5s. if large	0 10 0
For each chest of drawers	0 5 0
For each chest of soap	0 2 6
For each small chest of oil	0 0 7½
For each large chest of oil	0 1 3
For every case of dry goods, according to the size, from 1s. 3d. to	0 7 6
For every case of iron ware, under 500 lb. 1s. 3d. and all above 500 lb.	0 2 6
For every four boxes of pickles	0 0 7½
For every seroon or bag of cocoa	0 1 3
For each churn chest of cheese	0 0 7½
For every eight cheeses not in chests	0 0 7½
For every four small tubs of cheese	0 0 7½
For every two large tubs of cheese	0 0 7½
For every crate of earthen ware, according to size, from 1s. 3d. to	0 5 0
For each coil of cordage, according to size, from 7½d. to	0 5 0
For each cable, according to size, from 10s. to	1 10 0
For each coach	1 5 0
For each chariot	1 0 0
For each chaise	0 15 0
For each copper or iron boiler, from 2s. 6d. to	0 7 6
For each chair unpacked	0 0 7½
For chairs in bundles	0 1 3
For each couch	0 2 6
For each corner cupboard, according to size, from 1s. 3d. to	0 3 9
For every three pieces of crocus or osnaburghs, loose	0 0 7½
For every bag of cotton, and shipping	0 1 3
For each cask of bottled liquor	0 1 3
For each small cask of nails	0 0 7½
For each large cask of nails	0 1 3
For each carriage-gun, four and six pounders, 3s. and all above	0 10 0
For each desk	0 2 6
For each tierce of earthen ware	0 1 3
For each hogshead of earthen ware	0 2 6
For each hogshead of fish	0 1 10½

For each barrel, half barrel, or keg, of gunpowder	0	10	0
For each grapnel	0	1	3
For each grindstone, if small 7½d if large	0	1	3
For every hogshead of beer, rum, brand, or molasses	0	1	3
For every hogshead sugar, for landing, wharfage, storage, weighing, and shipping	0	2	6
For every thousand of wood hoops, stored	0	3	0
For every eight hats	0	0	7½
For each hide	0	0	3
For each hearth	0	5	0
For each harrow	0	2	6
For each hamper, if small 7½d if large	0	1	3
For every dozen of iron pots, loose	0	2	6
For every weight of 56 lb.	0	0	7½
For every jar of oil, from 3½d to	0	2	6
For every two coopers jointers	0	0	7½
For every two kegs of salt, if large; and, if small, four for	0	0	7½
For every four kegs of vinegar, tallow, tripe, bread, gruts, pease, and starch	0	0	7½
For every sheet of lead	0	2	6
For every bundle of ladles	0	0	7½
For every thousand feet of lumber	0	5	0
For every marble slab, from 2s. 6d. to	0	7	6
For every hundred feet of mahogany plank, slabs, or square timber	0	1	6
For every bundle of mats	0	1	3
For every mill-case, of common size, 1s. 3d. if large	0	2	6
For every mouth piece	0	0	7½
For every dozen of ox-bows	0	0	7½
For each plough	0	2	6
For each plate of furnace-mouths	0	0	7½
For every six pots and drips	0	0	7½
For every large box of pipes	0	1	3
For every small box of pipes	0	0	7½
For every puncheon of rum, for landing, wharfage, storage, gauging, and shipping	0	2	6
For receiving and delivering empty puncheons, each	0	0	7½
For every tierce of rice, corn, or other grain	0	0	7½
For every two barrels of rice	0	0	7½
For shipping off every thousand feet of lumber	0	2	6
For every bundle of spades, shovels, or jack screws	0	1	3
For every smiths bellows	0	2	6
For every eight loaves of sugar	0	0	7½
For every still head	0	5	0
For every set of truss hoops	0	0	7½
For each spiket	0	3	9
For every thousand shingles unpacked	0	2	6
For every thousand shingles in bundles	0	1	3
For every thousand staves	0	5	0
For each trunk, from 1s. 3d. to	0	5	0
For each table, from 1s. 3d. to	0	2	6
For every four boxes of tobacco	0	0	7½
For every hundred rolls of tobacco	0	5	0
For every hundred weight of tobacco	0	1	3

For every tache	£. s. d.
For each triangle	0 2 6
For each tierce of sugar, for landing, storage, weighing, and shipping	0 5 0
For every ton of wood, if weighed	0 1 10½
For each worm for stills of 500 gallons or under	0 7 6
For each worm for stills from 500 to 1000 gallons	0 7 6
For each worm for stills from 1000 gallons and upwards	0 10 0
For each gudgeon	1 0 0
For each hoghead of coals	0 1 3
For each chest of tea	0 1 3
For grating bars, two for	0 0 7½
For each iron axle	0 0 7½
For each hoghead of lime	0 1 3
For each puncheon of temper-lime	0 1 3

And that all other goods, wares, and merchandizes, not herein particularly enumerated and set forth, shall be paid for in proportion to the foregoing rates.

WHERRIES.

Wherries, boats, or canoes, carrying passengers or goods for hire, between Kingston and Port-Royal, must be numbered and registered in naval office; and the number with the name of the place, and to whom they belong, at full length on the stern, under penalty of five pounds, and the naval officer must register same, under penalty of five pounds, receiving for his fee two shillings and six pence, these vessels must be properly fitted and manned with five hands, free of disorders, and to ply from break of day till eight at night to any part of the harbour required; those refusing to proceed, or deserting their boat, or in any way evading their duty by false pretences, to forfeit two pounds for every offence, recoverable against owner; the rates fixed are to and from Port-Royal to Kingston, Passage-Fort, Port-Henderson, or Greenwich, three shillings and nine pence, and to and from Kingston to Passage-Fort or Port-Henderson, five shillings, and the hire for one day, fifteen shillings, penalties recoverable before a justice. 15 Geo. 3, c. 24. By 41 Geo. 3, c. 21, the justices and vestry of Port-Royal are annually to regulate the fares.

See PORT-ROYAL.

WILLS.

Exemplification of wills made in Great Britain or Ireland, or in the colonies, after probate, being attested under the

seal of the prerogative court of Canterbury, archbishop or lord mayor of Dublin, or archbishops in their dioceses in England or Ireland, or the mayor, provost, or bailiff of any other corporation, or under the seal of the said dominions or colonies, and afterwards recorded in this island, to be good evidence.---
 4 Geo. 2, c. 5, s. 3. The secretary of the island directed to record all wills in his office unrecorded before the year 1720, s. 9. Those who forge or counterfeit a will, with intention to defraud, and those who utter and publish as true, knowing it to be forged, to suffer death without benefit of clergy.---
 15 Geo. 2, c. 3.

See EXECUTOR.

WINE.

All wines imported into this island, in casks, and not in bottles, the casks must contain the following quantities, pipes a hundred and twenty-six gallons, hogsheads sixty-three gallons, quarter casks thirty-one gallons, under forfeiture of fifty pounds per ton.---11 Geo. 3, c. 11.

See REVENUE.

WOLMER'S FREE-SCHOOL.

John Wolmer, of Kingston, goldsmith, having bequeathed the greatest part of his property for the foundation of a free-school, without directions as to its management, the following trustees appointed: the commander-in-chief for the time being, four senior councillors, the speaker of the assembly, the chief-justice, custos rotulorum, four senior magistrates, and rector of Kingston, and such six of the inhabitants as the freeholders shall annually elect, to have the direction and management of all its concerns, seven a quorum, and incorporated under the name of "Trustees of Wolmer's Free-School." They are empowered to place monies out to interest received as donations, &c. to lease such possessions as may be granted or purchased; to purchase, and sue and be sued, &c. and to have a common seal, on which to be engraven the sun breaking through a cloud, to be kept by the custos. Wolmer's executors made accountable to them; they are to erect buildings, employ masters, being of the church of England, whom they may remove for misconduct, and receive as many children as they think proper, removeable on misbehaviour or becoming eighteen years of age, to be instructed in reading.

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writing, arithmetic, Latin, Greek, mathematics, and other learning; they are to repair or enlarge the school, and ordain rules and ordinances for its government, as well as visit it and reform disorders; they must keep no money in their hands more than thirty days, nor borrow any of it on interest, nor buy, sell, rent, or lease, any of its property; offenders against the act forfeit five hundred pounds.--9 Geo. 2. c. 6. So much of preceding act repealed as appoints the commander-in-chief, four senior councillors, speaker, chief-justice, and custos of Kingston, trustees, and the representatives in assembly, churchwardens and vestrymen (now the corporation) of Kingston, made trustees, and the six inhabitant trustees to be elected on Monday preceding the second Wednesday in January, in every year.--(See KINGSTON CORPORATION.) On which day a treasurer is also to be elected, who is to keep the accounts, collect the funds, to lease or rent lands, and negroes, to pay monies, and place out to interest as may be directed by meetings of trustees; securities and leases to be in corporate name. The treasurer to keep the seal and be accountable for all receipts, payments, &c. and removable by a meeting; and, in case of death or removal, another must be appointed, a reputable housekeeper in the parish; the trustees to fix his salary; public notice must be given by advertisement five days before meetings, except the annual meeting, and the meetings must be held in school-house, or at the church, between eight and twelve o'clock, and nine trustees to form a quorum.--15 Geo. 3, c. 14. The public being indebted to the trustees for fifteen thousand eight hundred and sixty-four pounds, upon their causing the certificates to be delivered to the receiver-general to be cancelled, and making the sum to be extinguished sixteen thousand pounds, the trustees to receive a clear annual sum of fifteen hundred pounds from the public, in half yearly payments.--40 Geo. 3, c. 33.

WORKHOUSES.

All white persons, and free people of colour, able in body, having nothing to maintain themselves, loitering about, and refusing to work for common wages, and all idle white or free persons, wandering and begging (except soldiers, marines, &c. having proper testimonials) to be deemed rogues and vagabonds. The justices, vestry, churchwardens, and representatives in assembly, of every parish, if they think proper, to erect workhouses or houses of correction, under their management, and to elect a president, treasurer, and supervisor, all remove-

able by them for misconduct; the justices and vestry nominated as commissioners for carrying this act into effect, and declared a body corporate by name of "The president, guardians, and governors of the hospital and workhouse of the parish," may purchase lands and houses, sue and be sued, and act as bodies politic and corporate may do, give a quorum, to make rules and orders, have a common seal, provide materials for setting vagabonds at work, or idle and disorderly persons, with power to punish them, as often as they shall misbehave or refuse to work, either by confinement in stocks not exceeding forty-eight hours, or by whipping not exceeding thirty-nine lashes, or shortening allowance of diet; constables and other persons to apprehend such vagrants and carry them before a justice, who, if he sees fit, may commit them to the workhouse, after examination of evidence on oath, or any other way, as he deems proper, there to be kept to hard labour for any space of time not exceeding six months, whites to be separated from people of colour, When workhouses ready, they must be advertised, and a day fixed, after which all disorderly persons will be received, as well as runaway slaves, who are to be hired out, to work in streets or lanes, to make or amend public roads, &c. proceeds to be applied to support of workhouse, and, if any surplus, for the support of the poor; supervisor to pay rewards and mile-money, as regulated by slave law, for apprehending, to be repaid by those taking out the runaways, together with six pence per day for every twenty-four hours, and two pence for medical care; treasurer to give security; felons to be kept separate from other slaves; no infirm slaves to be received if committed by owners, but, if by a justice, to be received, clothed, lodged, and fed, but not worked, at the expence of the owner; a list upon oath of such infirm slaves, and an account of fees due, to be delivered to the justices every quarter sessions, who are empowered to enquire into the nature of the case, and proceed against owner according to law, or the parties may be summoned to appear the following court; justices neglecting their duty to be fined twenty pounds. Slaves must not be confined above three months, unless under sentence of a court, or warrant of two justices; after three months they must be advertised in the Royal Gazette, St. Jago Gazette, and Cornwall Chronicle, for eight weeks, for public sale, describing the height, name, marks, sex, and, where they can be ascertained, the name of the country and owner, and the monies arising, after deducting fees, &c. to be applied to the support of the workhouse; and the receipt of the president, guardians, or governors, to be a good title, except against incapable persons, but who

must bring actions in five years after capable; if the owners, or persons claiming under them, within two years of the sale, apply for the monies arising from it, and prove their right, they are to receive the amount, deducting fees and all other expences; those purchasing such slaves are not liable to pay hire during the time they were in their possession.—32 Geo. 3, c. 11.

WRITS.

In case of death or disability of chief-justice, the next assistant judge may sign all writs till a new chief be appointed, or disability removed; and if a provost-marshal die or be removed between the teste and return his successor may make return; no writ to be given out till the declaration is filed.—10 Ann, c. 4, s. 5, 6, 7. Writs may be issued by an assistant judge, who is in St. Jago de la Vega, when the chief is ill, or not there.—4 Geo. 3, c. 8. All writs in civil process must be signed by the clerk of the court, who must account to the chief for fees under oath, but to receive one hundred and fifty pounds per annum for his trouble.—43 Geo. 3, c. 25.

See ASSISTANCE, CERTIORARI, DEBTS, ERROR, EXTENT, PARTITION, REPLEVIN, VENDITION.

YALLAHS RIVER.

Justices and vestry of St. Thomas in the East and St. David empowered to raise two thousand two hundred pounds for the purpose of erecting an iron bridge over the river.—53 *Geo. 3, c. 20*, and to raise four thousand pounds, viz. three thousand and sixty-six pounds thirteen shillings and four pence in St. Thomas in the East, and nine hundred and thirty-three pounds six shillings and eight pence in St. David, for the purpose of erecting a suspension bridge over that river, and commissioners incorporated for the purpose.—7 *Geo. 4, c. 17*.

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APPENDIX. .

AGENT.

George Hibbert, esq. appointed an agent in Great-Britain and Ireland, to solicit the passing of laws, and transact other public matters committed to his care, and the members of the council and assembly appointed commissioners to co respond with him, and direct him, under the controul of the council and assembly whilst sitting; but any five of them during the recess may give such instructions as they see fit for the public service. They have power to appoint a clerk to take charge of papers, at a salary not exceeding three hundred pounds per annum, and to di-place him. He must not send papers out of his office except to the branches of the legislature, under penalty of a hundred and fifty pounds, to be recovered by information of attorney-general in supreme court. Any person printing or publishing any memorial or petition to his majesty, previous to the presentation thereof, or of any letter, or paragraph thereof, from the agent to the commissioners, unless with permission of council or assembly, or commissioners of correspondence, to forfeit a hundred pounds, recoverable in same manner. Members of council and assembly to have access to the books and papers at all times, and the clerk must attend at all times for that purpose. In case of difference of opinion between commissioners of council and assembly they may act seperately. Any two commissioners may open letters from the agent if at the office of correspondence; they may meet whenever necessary, and any five may call a meeting giving five days public notice; but, in cases of dissolution or prorogation of assembly, one day's notice is sufficient. Jour-

nals of proceedings to be kept, with names of commissioners present; and in cases of dissolution, the members of last assembly to act till a new assembly meet. The salary granted to the agent to be fifteen hundred pounds sterling, free of all deductions. The act is a triennial one, and in force until Dec. 31, 1830.—8 *Geo. 4, c. 5.*

ALIENS.

Masters of vessels arriving at any of the ports of this island, except Port-Royal and Kingston, before entry, must declare on oath, in writing, to the naval officer or deputy, whether he is himself a natural born subject, and whether any persons not natural born subjects came in his vessel. In case he is an alien he must specify the place of his birth, where he has resided, to what country his vessel belongs, &c. and the names, rank, occupation, description, &c. of all aliens on board; and in Kingston and Port-Royal the same declaration to be made before the naval officer, who must send declarations in twenty-four hours to clerks of peace, under penalty of a hundred pounds, and the same penalty laid on the master of the vessel if he refuses his declaration or makes a false one, and for every alien he has on board. The naval officer or deputy to give the master a certificate, under penalty of a hundred pounds, that he has furnished the necessary declaration, and also indorsed thereon that he is required, under penalty of one hundred pounds, within twenty-four hours, to produce such aliens at the peace office, excepting mariners, and to report such as refuse to accompany him. Officers permitting entry without such certificate to forfeit one hundred pounds. Aliens landing in this island otherwise than as regulated by the governor's proclamation, or refusing to accompany the master to peace office, to forfeit one hundred pounds, and be apprehended under warrant of a justice, and confined until the pleasure of the governor be known; masters wilfully landing such to forfeit one hundred pounds. When a proclamation is issued no alien to land contrary to it, or without governor's express permission in writing under pain of forfeiture of the vessel. Masters neglecting to produce aliens at peace office as directed to forfeit one hundred pounds. Aliens to declare to clerk of peace, on oath, their names, rank, place of birth, &c. by whom the alien may be examined, who must enter into bond with security in at least one hundred pounds for good behaviour during residence, and if he make any false

declarations, or refuse to be examined or to enter into security, for every offence, on conviction in the supreme or assize courts, he may be adjudged to depart from this island, within a time limited by the judgment; or, on conviction before two justices, may be committed to gaol, until the pleasure of the governor is known, to whom the clerk of the peace must forthwith transmit a statement of the case. He is to register all particulars in a book, to be kept according to a form in the law, where certificates and counterparts are entered; each book to have an alphabet, to which the governor and magistrates only to have access, and the clerk must deliver certificates, under penalty of fifty pounds. The alien must produce the certificate to a justice in twenty-four hours after, who is to endorse permission thereon for him to reside in the parish; if he see no cause to the contrary, but if he see cause for refusing, he is to commit him, and report to the governor. Aliens not to leave the place they arrive at, without a passport from a justice, unless restrained by proclamation, and no passport to be granted if he has landed contrary thereto. Those desirous of changing their place of residence, must obtain a passport from a justice, which must express his name, description, &c. but he must shew such justice his former passport. Justices may require aliens to exhibit their passports, and commit suspicious persons, until notice is sent to the governor, who may direct to be discharged, confined, or sent off the island. Those who do not exhibit passports, and are not discharged by the governor, if lawfully convicted of improper conduct in the supreme or assize courts, may be transported for life. Justices may make housekeepers account for aliens in their houses, under penalty of seventy pounds for each alien; and if they refuse to make a return, and no alien found in the house, they forfeit ten pounds, they must also account for all arms, ammunition in such houses, under penalty of one hundred pounds. If aliens enlist in the militia, captains to send in their description to the clerk of the peace, under penalty of ten pounds, and those having them in their employ, or resident with them, to give their description to the clerk of peace within fourteen days of the employment, and a notice must be given of their leaving such employment, all under penalty of one hundred pounds, the fee to be paid clerk of peace for each return, two shillings and six pence. Negroes here from St. Domingo, without governor's permission, deemed of a dangerous description, and, on conviction, to be transported; those apprehending them to have a reward of twenty pounds. The governor empowered to search for and send aliens off the island if deemed necessary for public safety; and persons who

authorised to search may exercise force and break open doors, and officers of militia disobeying such orders to be tried by a general court-martial. Those aliens who do not depart in obedience to a proclamation may be committed to gaol, and, on conviction, be transported; the governor, if he thinks immediate obedience will not be paid to proclamation, may issue a warrant to apprehend aliens to be sent out of the island. No writ of *habeas corpus* to be issued at the instance of any person proceeded against under this act as an alien. The governor may order aliens to reside where he thinks proper for the public security, and if they remove, may, on conviction, be transported. Any chief magistrate, or two justices may grant warrants to search houses in which aliens reside, in order to discover arms or ammunition; and the governor may send off the island any aliens legally committed to gaol; and if they return, on conviction, they may be transported. The governor to appoint an additional boarding officer and tide water for the port of Kingston, for the purposes of this act; who are to have the same powers as custom-house officers in visiting vessels, the tide water to be paid by receiver-general, five hundred pounds per annum, quarterly, and the boarding officer one hundred pounds. Should they be unable to apprehend aliens, they must give notice in writing to the corporate body, who must issue warrants to apprehend; these officers to have same powers as receiver-general and his deputies, under revenue act, 1 Geo. 2, c. 1, and to take affidavits. All custom-house officers have same powers to apprehend suspected persons under this act. All officers to send copies of certificates, examinations, &c. to the governor at the end of every month, but without loss of time, if expedient. Those forging or counterfeiting passports, certificates, &c. or falsely pretending to be a person mentioned in them, shall, on conviction, be imprisoned not exceeding six months, and at the expiration depart this island, and if he return may, on conviction, be transported. In case of loss of certificate or passports, an office copy to be produced to a justice, who, if he is satisfied as to identity, may grant another passport, and both certificate and passport to be marked duplicate. In all questions respecting offences against this act, the proof to lie on the party accused. Those naturalized by act of parliament or of this island not affected by this act, or those who have had letters patent of denization; or commanders of vessels at the time of arrival who have acted as such all the voyage if they have made the declaration on oath herein before directed; nor does the act affect those who have been *bonafide* mariners, while so employed, provided they have been properly certified, have not landed before the arrival of

the vessel, nor before the master has made his declaration.—Masters or mariners who are aliens, acting contrary to this act are liable to the same pains and penalties as suspected persons. Foreign seamen deserting, or forty-eight hours absent, to be reported to clerk of peace by master, under penalty of one hundred pounds. Masters about to depart shall report on oath to clerks of peace, the names and description of deserters, or persons left in the island, the time of desertion, and the names of aliens in his crew, of which the clerk shall give a certificate; masters refusing, and officers clearing out before such return is made, forfeit one hundred pounds. Naval officers to examine the certificate when the vessel is about to sail that it is a faithful representation of the people on board, and if not to detain the vessel. Owners of droggers having aliens or foreign slaves on board without a passport to forfeit seventy pounds for each. Officers neglecting duty to forfeit one hundred pounds. Justices may admit aliens to bail, with the governor's authority. Places of transportation to be appointed by the governor and council; and those returning from it to suffer death. Actions under this act limited within six months after offence, and if verdict for defendant plaintiff to pay double costs, if unable, the receiver-general to pay them. No writ shall be sued, nor any copy of process, at the suit of a subject, to be served on a justice, naval officer, or clerk of the peace, or other officers for acting under this act, unless notice is served one calendar month previous to such process as prescribed by the law. Inhabitants of any parish or precinct good evidence though the penalties be for the benefit of the poor of that parish; governor or council to summon witnesses from any parish, and to issue warrants against those not attending; which the marshal must execute, under penalty of one hundred pounds. Witnesses failing to appear to forfeit fifty pounds, and all witnesses attending going and coming protected from civil process; those refusing to be examined to be committed to gaol not exceeding one month. Swearing falsely declared perjury. Expences incurred under this act to be paid by receiver-general. Vessels cannot clear out until fines are paid. Penalties above seventy pounds to be recovered by action of debt, all under before a justice, with an appeal to quarter sessions, and no writ of *certiorari* allowed. Those appealing to give six days' notice, and justices in session empowered to award costs to either party, if first quarter sessions be sooner than six days, the appeal must be made to the next. Nothing in this act to repeal the act 39 Geo. 3, c. 29, for which see FOREIGN SLAVES. This act in force until thirty-first December, 1830.—5 Geo. 4, c. 18.

AMERICAN GOODS DUTY.

The following duties laid on the importation from any foreign country in north or south America, or foreign island in the West-Indies :

	£. s. d.
For every barrel of wheat flour, not weighing more than 196lbs, net weight	0 7 0
For every cwt. of biscuit or bread	0 2 1
For every barrel of flour or meal, not weighing more than 196lbs. not made from wheat	0 3 6
For every bushel of wheat	0 1 6
For every bushel of pease, beans, rye, calavances, oats, barley, or Indian corn	0 0 10
Rice, for every 100lbs. net weight	0 3 6
For every 1000 shingles, not more than twelve inches in length	0 10 0
For every 1000 shingles, being more than twelve inches in length	1 0 0
For every 1000 red oak staves or headings	1 10 0
For every 1000 white oak staves or headings	0 17 6
For every 1000 feet of white, yellow, or pitchpine lumber, of one inch thick	1 10 0
Other kinds of wood and timber, per 1000 feet	2 0 0
For every 1000 wood-hoops	0 7 6
Horses, mules, asses, neat cattle, and all other live stock, for every 100l. of the value	10 0 0
Spirits, the amount imposed by the several laws of this island.	
Wine, the amount imposed by the several laws of this island.	
Coffee, cocoa-nuts, sugar, molasses, and rum, for the purpose of being warehoused for exportation only—duty free.	
Alabaster, anchovies, argol, aniseed, amber, almonds, brimstone, botargo, box-wood, currants, capers, cascadoo, cantharides, cumminseed, coral, cork, cinnabar, dates, essence of bergamot, essence of lemon, essence of roses, essence of citron, essence of orange, essence of lavender, essence of rosemary, emery stone, flax, fruit, viz. dry and preserved in sugar, wet, preserved in brandy, figs, gum Arabic, gum mastic, gum myrrh, gum Sicily, gum ammoniac, hemp, honey, jalap, iron in bars and pig iron, juniper-berries, incense of frankincense, lava and Malta stone for building, lentils, manna, marble, rough and worked, Mosaic work, medals, musk, maccaroni, nuts of all kinds, oil of olives, oil of almonds, opium, orris-root, ostrich feathers, ochres, orange buds and peel, olives, pickles in jars and bottles, paintings, pozzolana, pitch, pumice-stone, punk, Parmesan cheese, pickles, prints, pearls, precious stones (except diamonds), quicksilver, raisins, rhubarb, sausages, senna, scammony, sarsaparilla, saffron, safflower, sponges, tar, turpentine, tow, vermillion, vermicelli, and whetstones—for every 100l. of the true and real value of each article	7 10 0

	£.	s.	d.
Clocks and watches, leather manufactures, linen, musical instruments, wires of all sorts, books and papers—for every 100 <i>l.</i> of the true and real value of each article -	30	0	0
Glass and manufactures, soap, refined sugar, sugar-candy, and tobacco manufactured—for every 100 <i>l.</i> of the true and real value of each article -	20	0	0
Hay and straw, coin and bullion, diamonds, salt, fruit and vegetables fresh, cotton wool, goods the produce of places within the limits of the East-India company's charter, rice and Indian corn, and lumber, the produce of any British possession on the west coast of Africa, and imported direct from thence—duty free.			
Silk manufactures, for every 100 <i>l.</i> of the value -	30	0	0
Cotton manufactures, for every 100 <i>l.</i> of the value -	20	0	0
Salted beef and salted pork, the hundred weight, and also all salted beef and salted pork imported from Newfoundland, whether of foreign production or not, the hundred weight -	1	0	0
Goods, wares, or merchandise, not being enumerated or described, nor otherwise charged with duty by this act, for every 100 <i>l.</i> of the true and real value thereof -	15	0	0

The same duties to be paid, if any of the above articles of foreign produce are imported from Great-Britain or her colonies, but this act not to extend to colonies interdicted by parliament. When duties are charged according to valuation, the value to be ascertained by the declaration of importer or proprietor, or agent, to be written on the warrant of entry and signed. If upon view of receiver-general, or deputy, it appears that the articles are not properly valued, the receiver or his deputy, may require the importer, &c. to state on oath, the invoice price, and that he believes it to be the current value, which price, with ten per cent. added, to be deemed the value on which the duties are to be charged. If it appears to the receiver-general, or deputy, that invoices are below real value, or the value not known, they may nominate two competent persons to declare, on oath, the true value, which oath he or his deputies may administer. If duties are refused to be paid, receiver, or deputy, he may secure such goods to be publicly sold, within twenty days after refusal, giving fourteen days notice, for payment of duties, and, if any surplus, it must be paid over to importer. In cases of damaged goods, the receiver or deputy may chuse two indifferent merchants to certify, on oath, what damage has been received, and the loss in value, to which value the duties must be reduced. Masters of vessels, in forty-eight hours after arrival, to report to receiver or deputy, a true account on oath, according to a form in the act, of all goods on his vessel, and to whom consigned, under a penalty of three hundred pounds, which oath

Receiver or deputies may administer. Collectors and comptrollers at each port, on entry of vessels having goods taxable under this act, to make out an account of all such goods, a certificate of which they must sign and transmit to receiver, or his deputy, who must make out therefrom, and the manifest, an account of the duties payable thereon, and sign the certificate, and return it to collector and comptroller, who must sign the same, and grant a permit to land the goods. Receiver, or his deputy, or tide waiter, invested with powers granted by revenue act.—1 Geo. 2, c. 1. Bond may be given, payable in one month, for duties, but no vessel to be cleared until they are paid, measures or numbers turning out to be wrong in the manifest, may be corrected by the consignees' declaration on oath, and also that he knows of no goods landed from the vessel on which the duties have not been paid. No goods to be landed before duties paid or secured, under pain of forfeiture, and, after payment of costs of forfeiture, one third thereof to be to the king, one third to the governor, and the other third to the prosecutor. The prosecution to be carried on by information in the supreme court, and tried in the county court where the cause arises. Articles of a perishable nature, if they so appear to be on application to the court by the seizing officer, may be by the court directed to be sold, or delivered on bail to the claimant, the proceeds to be paid to receiver-general, to abide the award of court; but unless claim made within twenty days, and it appears the duties have been paid, the goods to be forfeited. Masters of vessels exhibiting false manifests incur a penalty of three hundred pounds, besides forfeiture of vessel. Penalties to be recovered by action of debt, one half to the king, one half to the informer or prosecutor. Receiver-general to give security for performance of duties under this act in fifty thousand pounds. An additional duty of ten per cent. laid on all articles in vessels belonging to the United States, being equal to a duty surcharged by the United States on British vessels; but the governor empowered to take off this per centage, when officially informed that the United States' duty has been taken off. Falsely swearing to be punished as perjury. Goods may be warehoused and a bond with two sureties, in treble the duties, with condition for safely depositing the goods, for payment of duties, and that no part shall be taken out till cleared upon due entry and payment of duty, or on due entry for exportation; as also that the whole shall be cleared, and duties upon any deficiency, according to first account, to be paid within two years of date of first entry. If, after bond given, the goods are disposed of, or any part, by the original bonder, the receiver may admit fresh re-

curity by the purchaser, and cancel the original bond. Goods now warehoused, or to be warehoused, not to be removed, except for exportation, without a certificate of receiver that all duties are paid, or permit of collector or comptroller, countersigned by the receiver or deputy, under penalty of one hundred pounds on collector, comptroller, or warehouse keeper; and a like penalty on the two former for refusing or neglecting to transmit to receiver such dueable certificates as are required by law, or for granting permits to land any other goods authorised by law, until a certificate and return be made by receiver or deputy. On the exportation in a British vessel to Great Britain or Ireland of any cedar, mahogany, lignum-vitæ, lancewood spars, fustic, or any other dye-woods, on which it appears on oath that the duty has been paid, or by certificate of the receiver or deputy, the whole duty paid thereon may be returned. This act in force until thirty-first December, 1828.—8 Geo. 4, c. 12.

APPRENTICES.

Those who have employed twenty of free condition as handicraftsmen for twelve months, entitled to a bounty of ten pounds each; and those who have employed for six months preceding thirtieth September, 1828, more than ten of them, without apprentice fee, also entitled to a bounty of ten pounds each.—8 Geo. 4, c. 15, s. 30.

ARMS AND AMMUNITION.

Governor empowered to prohibit the exportation of arms and ammunition by proclamation as may appear to him necessary. The harbour-masters to board every vessel departing, to see that she carries away none prohibited, and those resisting him may be three months imprisoned, on conviction before three magistrates. If prohibited arms are found they are confiscated, and the master subject to a penalty of two hundred pounds, one moiety to government and one to informer, besides six months imprisonment. Penalties to be recovered before three justices, who may imprison for twelve months if fine not paid. Custom-house officers or officers of forts, naval officer, or officers of ships of war, &c. empowered to stop vessels having such articles on board, to seize them, and proceed to condemnation in supreme and assize-courts. Proceeds of sale to be one moiety to informer and one to government. Proclamations to be published in the Royal Gazette only. This act in force till thirty-first December, 1831.—7 Geo. 4, c. 7.

Asps, see HORSES.

BILLS OF LADING.

Masters of vessels to give security in secretary's office, under penalty of fifty pounds, that they will not, nor any one for them, sign bills of lading, or receipts for goods exported, unless they are legally stamped.—7 Geo. 4, c. 8, s. 4.

BOARD OF WORKS.

The governor, president and members of the council, the speaker and members of assembly, appointed commissioners, or any five of them, three or more to be members of assembly, to carry into execution all appropriations for public buildings and barracks, or to erect others directed by the assembly, to enter into contracts for work, to hire negroes, with powers to cause all persons to come before them to be examined on oath, and to send for all books, papers, &c. In case of dissolution old members to act until new ones elected, who are qualified on writs being returned into office. No monies to be paid for public buildings but by their order. They may take stones from any lands not enclosed or planted as a garden or yard to any house or mill, for such reasonable satisfaction as can be agreed for, or as any three justices may award. They are not to contract to a greater amount than the sum granted by assembly, under penalty of five hundred pounds on each commissioner. On representation from the governor that an outlay of money is required for some particular barrack, not provided for, and the board concur in opinion, the work to be ordered, if there be sufficient money voted for public buildings, not previously expended. No contract to be entered into until advertised for in the county paper where the work is to be performed, but no specifications to be advertised, but left with the clerk of the board, and clerks of vestry. No officer of the board to enter into contract. No contract to be entered into without security, and contract bonds to be good evidence. No work to be paid for unless contract entered into and the work performed accordingly, if the sum exceeds fifty pounds, and the whole monies so paid without contract, during the continuance of this act shall not exceed one thousand pounds. The governor may order repairs of barracks not exceeding fifty pounds at any one, and not on the whole exceeding one thousand pounds in one year. During the sitting of the assembly the board to meet in St. Jago de la Vega on such days as they may appoint. During a recess they must meet in that place on the first Friday in every month; and at the office of the commissioners of public accounts, in King-

ston, on the third Friday. Five days notice to be given in a newspaper of extraordinary meetings, signifying time, place, and business. No resolution of one board to be altered by another unless composed of eleven members. The board to appoint sub-committees in every parish. No order for work to be paid unless the tradesman make oath that all paint, oil, &c. had out of public stores hath been faithfully expended; and no advance to be made to any contractor. Commissioners to appoint a clerk at an expence for salary and all contingencies not exceeding five hundred pounds per annum, with power to displace him for misconduct. This act in force until thirty-first December, 1828.—8 Geo. 4, c. 8.

BOATS.

Those of fifteen tons, or under, not plying for hire, but passing from one port to another, not to be subject to custom-house fees.—8 Geo. 4, c. 15, s. 29.

BREAD.

Vestries of parishes to regulate the assize of bread, and bakers to mark it as they direct, under penalty of twenty shillings for every ounce deficient, and if less than one ounce ten shillings, the same being weighed before a justice in forty-eight hours after baked, or before any persons by him appointed, to be recovered by warrant of two justices. One justice and one vestryman, attended by a constable, to inspect bakehouses once a month, between four in the morning and nine in the evening, for the purpose of weighing the bread, examining marks, &c. and seizing what is deficient in weight for the benefit of the poor. Those found offending to forfeit ten pounds, recoverable before two justices. Persons mixing improper ingredients, of an unwholesome quality, in their flour, &c. to forfeit for the first offence five pounds, and ten pounds for every subsequent one, one moiety to informer, one to the poor, recoverable before two justices. In all cases the testimony of one person sufficient to convict. This act in force ten years from passing in 1824.—5 Geo. 4, c. 6.

CLERGY.

All preceding laws relative to the clergy repealed. His majesty having been pleased by his letters patent to constitute the island of Jamaica, the Bahama islands, Honduras, and their respective dependencies, to be a Bishop's see, and to be called the *Bishopric of Jamaica*, and named Christopher Lipscomb, D. D. to be bishop, with powers to confer orders of deacons and priests, to confirm baptisms, and all other functions of a bishop; but nothing to interfere with the laws of the island concerning ecclesiastical affairs so long as they remain unrepealed. Those conceiving themselves aggrieved by the bishop or his commissaries have an appeal to his majesty in chancery, notice of such appeal being given to the bishop within fifteen days after sentence, and security in one hundred pounds, to pay costs in case sentence is affirmed. The bishop is made a body corporate, and to have perpetual succession, with power to purchase lands, tenements, &c. and to sue and be sued, and use a corporate seal. He is subject to the archiepiscopal see of Canterbury, and the archbishop of Canterbury. An archdeaconry also founded, to be styled the *Archdeaconry of Jamaica*, to be subordinate to the bishop, and during his majesty's pleasure, to which Edward Pope, M. A. is appointed, and to assist the bishop in his episcopal functions, and, in case of his death or avoidance, the bishop has the power of collating to the office of archdeacon any priest of the church of England, previously recommended to the king by the bishop through one of the secretaries of state, and approved by his majesty. All laws, ordinances, and canons ecclesiastical, as are now used in England for the regulation of the clergy declared in force in this island, and all process of the bishop the same force as those of ecclesiastical courts in England, as far as respects the clergy, but not to be construed to grant any judicial authority, spiritual or temporal, over the lay inhabitants, or abridge or alter the jurisdiction of the governor as ordinary, or to interfere in any suit for probate of wills, granting letters testamentary, &c. or with respect to the presentation to the several churches, or with any of the governor's powers. A registrar to be appointed, with a salary of three hundred pounds, and an apparitor of eighty pounds per annum. The judges of the supreme court authorised to aid and assist in carrying into execution all processes and proceedings, &c. that may at any time be issued. Every rector to have a salary of six hundred pounds per annum, payable quarterly, from which the sum of forty-two pounds to be deducted, to be vested in the president of the council, the Bishop, the speaker, attorney-general, members for St. Catherine and Kingston, and the

rectors of Port-Royal, St. Catherine, Kingston, and St. Andrew, as a loan to the public, on an interest of six per cent; and they or any five, two to be laymen, are to receive and manage the funds, but cannot alter the investment nor vary from the act to regulate the CLERGY FUND, which see. The interest to be applied to the support of the widows and children of the deceased clergy; to entitle them to which, it is necessary to produce a certificate from the justices and vestry assembled of the number, ages and circumstances of the family, which family means only widows and children. Rectors may demise or lease glebe lands for a term not exceeding twenty-one years, leases to be recorded, and the best rent obtained, and no other consideration taken, under penalty of forfeiting treble the value and fifty pounds to him who shall sue, and the lease declared void; no leases to be granted until the expiration of existing ones, and rectors before they grant them must make affidavit that they will not take any fee or reward for such leases other than the rent, or to prejudice their successors, to be entered in the vestry book; but they are not to lease the parsonage house or such of the glebe lands as are requisite for the accommodation of the incumbents. Ministers not to receive any fee out of their own parishes. Rectors declared freeholders, and to vote at elections. No minister to marry white or free persons but by banns three times published in the parish church, or by license from the governor, under penalty of one hundred pounds. The following fees established:

Funerals.

	£.	s.	d.
Meeting the corpse at the parochial burial-ground, and reading only the grave service	-	1	6 8
Meeting and interring at any other place, with the grave service	-	2	13 4
For the full service of the church, and afterwards attending the corpse to the parochial burial-ground	-	2	13 4
If from the church to any other place of interment than the parochial burial ground, then in addition	-	2	13 4
For each tablet or cenotaph erected in the church	-	16	0 0
For any grave with brick work, and building a tomb over it	-	8	0 0
For a vault, not exceeding in dimensions ten feet square, constructed with stone or brick, or enclosed with railings	-	16	0 0
For every tomb erected over a single grave	-	5	6 8

Marriages.

In church on Sunday by banns	-	1	6 8
By licence	-	2	13 4
In any other place or on any other day	-	4	0 0

Christenings.

Baptisms in church on Sunday	-	0	5 0
In any other place or on any other day	-	1	0 0

£. s. d.

For travelling to perform any service in addition to what
 is given above, for every mile beyond the first mile from
 the church or his place of residence - 1 0 0
 Extracts from the register, comparing and attesting, each 0 5 0

Rectors to appropriate a certain portion of time every Sunday for the baptism and instruction of free persons and slaves; they must reside in their parishes, and perform divine worship, and preach by themselves or another once in every Lord's day, sickness, &c. excepted, and once in every week attend, not less than an hour, to catechise all who may attend, without fee or reward; and stipends not to be paid without a certificate from the bishop that he has resided and officiated in his parish during the period for which the payment is made. In cases where leave of absence from the governor has been obtained, on a certificate from the bishop, the payment of salary goes on. If the bishop be absent the archdeacon grants the certificate, if both absent, the commissaries, and if neither in the island, the rectors of St. Catherine, Kingston, and St. Andrew. The domestic chaplain of the governor excepted from these regulations. Ministers absent from their parishes three months together, or at several times in one year without consent of the bishop, or having a substitute, to forfeit two hundred pounds, to be retained out of his stipend by receiver-general, on receiving a certificate from the bishop; and if he is absent more than eighteen months from the date of his leave, the bishop may declare the living vacant, and recommend to the governor to appoint a successor. Ministers to visit plantations, workhouses, gaols, &c. as the bishop may direct, with the consent of the proprietors of plantations; and the minister to enter in a book the times he has so attended. No fee to be taken from slaves. Justices and vestry empowered to lay a tax for the purchase of land for erecting places of worship, burial grounds, or parsonages, and for keeping them in repair. Justices and vestry not keeping them in repair declared a neglect of duty. The lines of such lands to be run at the expence of the parish; and all taxes under this act to be levied in same manner as other taxes. Ministers not to suffer corpses to be interred in churches, under penalty of five hundred pounds, and the following compensation to be paid them annually by the parishes: Saint Catherine, 70*l*.; Kingston, 110*l*.; Port-Royal, 30*l*.; Saint Andrew, 50*l*.; Saint Thomas in the East, 50*l*.; Portland, 20*l*.; Saint Ann, 50*l*.; Saint James, 50*l*.; Hanover, 50*l*.; Saint Elizabeth, 50*l*.; Clarendon, 30*l*.; Saint Dorothy, 20*l*.; Vere, 30*l*.; Saint Thomas in the Vale, 30*l*.—No minister to officiate without being licensed by the bishop, for which the registrar is to be paid twenty-six shillings and

eight pence, but no license to be affected by the death or resignation of the bishop. When it appears to the bishop that any minister from age, infirmity, &c. is unable to discharge his duties, he may require him to nominate a fit person with sufficient stipend, to be approved and licensed by the bishop to perform his duties. If the minister refuses to nominate for six weeks, the bishop to appoint with a stipend not exceeding five hundred pounds, to be deducted from the rector's stipend, and if a curate three hundred pounds, of which notice must be given to the clerk of the vestry. Rectors to appoint clerks but not to remove them without consent of the bishop. Curates allowed five hundred pounds per annum, payable quarterly by receiver-general, on a certificate from the bishop that he has resided in his parish, and discharged the duties by himself or another, excepting he has leave of absence, under same regulation as rector's absence. Curates must reside in their parish and must perform divine service and preach themselves or by another once every Sunday, and catechise at least one hour every week. It is declared lawful for every minister whether priest or deacon to solemnise marriage. Curates may marry slaves, on estates or in chapels, and banns being published, with consent of owners, &c. They are not to interfere in duties of rectors, nor accept of fees without authority of the rector, under penalty of twenty pounds for each offence, recoverable before a justice. Justices and vestry may assist in erection of chapels in other parishes at an expence not exceeding six hundred pounds. All baptisms, marriages, and burials to be entered in books to be provided at the expence of the parish, in the manner laid down in the law. When burials performed in any place but the church-yard, by other person than the minister or curate, the person performing must next day transmit to the rector a certificate of same, to be entered in the book. Register books to belong to the parish and in custody of rector. A distinct book to be kept for all burials, christenings, or marriages of slaves. Copies of all registers heretofore in use to be sent to the bishop's office of registry. Curates to make quarterly returns to rectors of baptisms, &c. by him to be entered in registry book, and copies of all registry books to be sent by the thirtieth June in every year, sworn to by the rector, to the registrar. Rectors to transmit to registrar a list of all registers formerly kept. The registrar to report to the bishop by thirty-first July, whether registers have been sent, and cause alphabets to be made, to be open to the public; he is to cause all copies of register books to be safely deposited, and record them within three months, under penalty of one hundred pounds, and to be paid for recording at the same

rate as the secretary of the island. Attested copies of register to be admitted as evidence in all courts. Those making false entries in them, or altering, forging, destroying, defacing, &c. deemed guilty of felony; except to correct errors within one month, in presence of parties concerned, which alterations must be certified. Rectors still entitled to fees for copies. All papers necessary by this act exempted from stamp duties. All penalties not mentioned how to be recovered, to be so by action of debt in supreme and assize courts. In case of the death or absence of the bishop the archdeacon to act, if no archdeacon the commissaries, and if no commissaries, the rectors of St. Catherine, Kingston, and St. Andrew. Registrar to keep his office open from seven until three on all lawful days, under penalty of fifty pounds for every neglect. This act in force until thirty-first December, 1830.—6 Geo. 4, c. 17.

COLLECTING CONSTABLES.

They are to be appointed by the commissioners of accounts at salaries not exceeding two hundred pounds, and in case of no appointment by the commissioners receiver-general to appoint them, but they must be approved by a board of the commissioners; and those so appointed declared collectors of all road and parochial taxes, and the vestries to cause their salaries not exceeding two hundred pounds to be paid to them. No person to be a collecting constable under twenty-one years of age, nor who is in arrear for taxes for the year next but one to the year of appointment, under penalty of two months imprisonment, on conviction before quarter sessions. No collecting constable to act as clerk of vestry, and the clerk to commissioners of accounts to certify appointments within twenty days to receiver-general, under penalty of fifty pounds, and in cases of non-appointment by commissioners, or non-compliance of the person appointed, the receiver-general to appoint, and whether appointed by him or commissioners they are to enter into such security as the latter may approve, and the security bonds delivered to receiver-general, to be recorded in the secretary's office. Receiver-general on or before twenty-eighth March to give written notice to clerks of vestry that security has been entered into, who must lay it before the justices when they sign the rolls, under penalty of fifty pounds, and justices incur a penalty of five hundred pounds if they sign without seeing it, in case the collecting constable acts without having given security. If they go off the island, are imprisoned for debt, or become incapable, the commissioners

must appoint another, and their secretary give notice to receiver-general, and a copy of proceedings, in five days, under penalty of twenty pounds; who must, within fourteen days, transmit copies of the proceedings to the securities of the person displaced, who are authorised to apply to receiver-general, who is empowered to substitute such legally qualified persons as the sureties desire, upon giving security, but without any new security from the sureties; in case such application not made within one month after notice, the receiver-general must appoint, to be approved by commissioners; persons so appointed to have full powers. The former collecting constable to deliver the rolls to his substitute, under penalty of one thousand pounds, stating the monies outstanding on oath; and in case of failure the justices and vestry to deliver to him new rolls under same forms and penalties as the former. The commissioners authorised to appoint in such cases the same for the collection of parochial taxes. Those refusing or neglecting to deliver rolls may be committed to gaol by three justices until they comply, but new rolls must issue. Collectors to advertise sales of levies, under penalty of five hundred pounds, twice at least, in two different weeks, in the newspaper nearest the place of sale, and give fourteen days notice in a paper fixed up at places of parochial business, containing an account of the goods, chattels, or slaves, distrained on, and the hour of sale, which must be between ten and twelve o'clock, and a like notice in cases of adjournment, under penalty of five hundred pounds for each offence; the name, colour, occupation, of the slave, and name of the party or property assessed, must be mentioned; levies in St. John, St. Dorothy, and St. Thomas in the Vale, to be sold in the town of St. Jago de la Vega, under penalty of five hundred pounds, and those in St. Andrew and Port-Royal, in Kingston, under a like penalty.—Surplus of sales of slaves, &c. belonging to persons having judgments against them, to be paid into the provost-marshal's office, on notice being given the collector by the judgment creditor, and he may stay paying over such surplus for one month from time of sale, that a venditioni may be issued; in such sales bills of parcels duly recorded to be a good title, but on proof of fraud sales to be void. Actions of replevin against collecting constables to be defended by the solicitor of the crown, but if the collector has acted illegally costs and damages must be paid by him; such actions of replevin must be brought in two courts, or discontinued, after which no new replevin can be brought; no such action to abate by death of defendant; and the judges may on sufficient cause shewn on oath, retain such replevins, and may, upon discontinuance,

&c. order the levy to be delivered up, and enforce such order by process for contempt, unless it appear that such levy, being slaves or stock, have died pending the suit, or before payment; in such case, or disobedience of order, a new levy may be made; to such replevins the defendants may plead the general issue, and give the special matter in evidence, and plaintiffs may do same. Collectors are liable for amount of rolls, unless relieved by JUSTICES and VESTRIES, which see. Collectors to pay over the balance of arrearage rolls on or before the first of August, or pay ten per cent. per annum from that date upon such balance, and no discount to be allowed unless arrearage rolls are fully settled. No collecting constable to be discharged or released from any part of his roll, or from his duty, until he has paid or accounted for the whole; in case of collector's death within the year, or before accounting, his sureties may be appointed by commissioners in his stead, or the sureties nominee, but the estate of the collector remains liable. A discount of ten per cent. allowed on all public and parochial taxes (excepting the road tax) paid on or before the tenth of August, and the same on duties paid quarterly, the rum law excepted, and which are paid within three months from the time of issuing the rolls, all arrears being first paid off. Collectors to make a return on oath to the vestry at their first quarterly meeting after the twenty-eighth December, of all arrears of taxes, under penalty of two hundred pounds, to be levied for by warrant under the hand and seal of the presiding magistrate, which fine is to be doubled for every succeeding fault until such accounts are rendered; when received the vestries empowered to relieve proper objects on oath, and to issue fresh rolls for collecting such arrears; only half the usual commission or two and a half per cent. allowed on sales of slaves. Collectors may distrain from and after the first of October, but not to enforce payment of the road tax until after the day allowed by law to work out allotments. Persons on the borders of different parishes, and assessed by both, to pay to the parish where he last paid, but if none paid before, to which he pleases, but if not paid to one within three months, the collector of each may levy, and the party not be relieved. Collectors must pay to receiver-general, within twenty-one days of the tenth of August, the amount of annual taxes, under penalty of losing the discount; and rum duties, and duties paid quarterly, in four months from the issue of the rolls, under same penalty; and must, under penalty of fifty pounds, deliver accounts of annual taxes one month before the tenth of August, and of quarterly taxes within fourteen days after receiving the rolls. Public taxes may be paid to receiver-general, who must

give a receipt, specifying the parish for which the payment is made, and the collector of any parish to receive such a receipt as payment from the party, and allow discount, the same as if paid to himself. Collectors charging more than in rolls, may be sued, and if found guilty assessed in treble damages with costs, and may be indicted by the parish for a misdemeanor of extortion, and fined and imprisoned at discretion of the court. When goods or slaves distrained upon, the sale cannot be stopped unless money is tendered for all taxes and arrears due; with commissions at the rate of five per cent. on the taxes, when levies on goods; and two and a half per cent. on slaves, with all lawful expences: collectors to make returns, under penalty of two hundred pounds, of taxes outstanding to the receiver-general, within twenty days after twenty-eighth March, June, September, and December, on oath that it is a just and true statement; and must also deliver to him certificates of relief; they must also deliver quarterly accounts of taxes collected to the vestries, on oath, under same penalty; and clerks of vestry to transmit copies of same to receiver-general in ten days after the vestry, under penalty of twenty pounds. Deputy receiver-general, collector of rum duties and transient taxes, shall, within ten days after the twenty-eighth March, June, September, and December, make up an account for all public monies collected, on oath, and transmit the same to receiver-general, within twenty days of each quarterly day, under penalty of two hundred pounds, and pay the whole amount over in thirty days under a like penalty, and being charged with ten per cent. interest. On actions against collecting constables the general issue only to be pleaded, and judgments to be conclusive without the issuing or lodging of writs, and immediately after such judgments a writ of venditioni to issue, according to a form laid down in the act, which is to have full force and effect against the collector and securities; but not to take away from the representatives of a deceased collector the usual imparlance of rule of executors, &c. and it is provided the same form of writ shall be used as in the case of other executors, so as to affect the goods and chattels of the testator or intestate, and not those of executor; bonds may be sued for any further breach of conditions, notwithstanding any former recovery. Bonds to be given by collectors of rum duties, or other collectors of taxes, within thirty days after their appointment, in such penal sum as approved of by the commissioners of accounts, and such bonds to be subject to the same proceedings as those of collecting constables, and if judgment is obtained against defendant he must pay all costs and expences, which the court may miti-

gate, but cannot suspend payment of damages: counsel concerned in the prosecution must, if demanded, give a certificate of the fees paid them. Bonds executed under this act to be recorded in secretary's office, within thirty days, under penalty of five hundred pounds, and writs on such bonds to have priority over all others. Collectors who have accounted to the receiver-general for taxes not paid to them, to have full power to distrain for such taxes for two years. In large parishes collectors empowered to appoint deputies, by writing under their hand and seal, and at their own expence; if approved by the vestries, and the authority recorded in vestry books, whose acts are to be considered as the acts of the principal. A penalty of fifty pounds is laid on all offences against this act, where no penalty is provided. In cases of levies for debt by marshals, if the collecting constable make oath of taxes due by the party levied on, and that he has not been able to find property to levy on, he may take out of the hands of such marshal a sufficient quantity of his levy to pay the taxes, the affidavit of collecting constable to be lodged with the marshal, who must return the special matter to the court. In actions against collectors for any thing done under this act, if verdict found for the defendant, double costs to be awarded, to be paid to the receiver-general to the use of government, as the defence of such actions is at the expence of the public. Penalties in this act not exceeding twenty pounds to be recovered before two justices, above that sum in the grand and assize-courts, one moiety to the king, the other to the informer. This act to be in force until thirty-first December, 1831.—5 Geo. 4, c. 8.

For other duties of COLLECTING CONSTABLES, see DEFICIENCY, JUSTICES and VESTRY, LAND TAX, POLL TAX, SPIRITUOUS LIQUORS.

COMMISSIONERS OF PUBLIC ACCOUNTS.

The speaker and members of assembly appointed commissioners to inspect the books of the receiver-general, and to arrange, settle, and adjust public accounts, five to form a board, and to count over the cash in the public chest, to sign certificates for debts due by the public, and to give such orders, from time to time, consistent with law, as may be necessary in the collection or disposal of the funds; they are also empowered to cause all persons to come before them, as they think proper, and examine them on oath, and also to send for all books, papers, &c. they think requisite. Five may direct

the receiver-general to grant certificates in payment of public debts, and allow interest thereon, as may seem expedient.— The mode of keeping the accounts to be determined by a full board, convened for the purpose, during the sitting of the house, which the receiver-general must observe, under penalty of five hundred pounds, and under a like penalty he must produce his accounts and vouchers quarterly, to be examined by the commissioners, and if approved of by them, they shall sign a certificate thereof, when by him requested; as also a quarterly account of all public monies received and paid during the quarter, with the vouchers, to be audited and examined in same manner. In cases of dissolution, and until a new house is elected, the members of the late house to act. Every member elected, after the writ is returned into office, empowered to act. When the balance of cash is under fifty thousand pounds any seven may raise money on certificates on legal interest, to be signed by the receiver and any three of them. The receiver-general must pay all monies directed by the board under penalty of five hundred pounds, and not to receive any money borrowed until he enters into security of fifty thousand pounds, to be recorded in secretary's office. Offenders against this act, for which no penalty specified, to forfeit twenty pounds, recoverable before two justices, who may imprison until paid. The commissioners, or any seven, empowered to contract for supplying the troops with rations for a term not exceeding twelve months, or until eight months notice shall be given on either side, pursuant to 30 Geo. 3, c. 9. Provided the money has been voted for the purpose by the assembly, and that, on an order from the governor, they may furnish country provisions instead of flour; and that no commissioner can directly or indirectly be concerned in such contracts, under penalty of two thousand pounds, but those tendering allowed to resign their situation as commissioner, in writing, which must be accepted and entered on the minutes. When a board cannot be formed, any three may pass the contractors' monthly accounts. The commissioners may appoint a clerk, and grant a salary, and for expences of office, not exceeding twelve hundred pounds, and remove him for misconduct.— During the sitting of the assembly the board to meet in St. Jago de la Vega on such days as they may appoint, when the house is not sitting, they must meet on the first and third Friday of every month, in Kingston; and if an extraordinary meeting is required fourteen days notice to be given in a newspaper of time, place, and business. Penalties above twenty pounds to be recovered by action of debt, one moiety to the king the other to the informer. Any three commissioners may,

destroy useless books or papers in receiver-general's office; and to cancel such certificates of 1825 and 6 as may be unfit for circulation, and to issue fresh ones to same amount. This act in force until thirty-first December, 1828.—8 Geo. 4, c. 7.

COMMISSIONERS of CORRESPONDENCE, *see* AGENT.

CONTRACTORS.

Those for supplying the army and navy must give in quarterly returns of spirits purchased or issued by them to the receiver-general and pay him one shilling per gallon, on all such as the duties have not previously been paid upon.—8 Geo. 4, c. 17, s. 29.

COURTS-MARTIAL, *see* RULES and ARTICLES of WAR.

CUSTOM-HOUSE OFFICERS SALARIES.

The following salaries to be paid to the officers of customs quarterly in lieu of fees:

<i>Kingston.</i>			
Collector	-	-	£. 3500
Comptroller	-	-	1680
Surveyor	-	-	1120
Eight Waiters, at 560l. each	-	-	4480
One Warehouse-Keeper	-	-	480
One Assistant ditto	-	-	320
One Assistant ditto	-	-	140
<i>Morant Bay.</i>			
Collector	-	-	960
Comptroller	-	-	460
Waiter and Searcher	-	-	280
<i>Port Antonio.</i>			
Collector	-	-	960
Comptroller	-	-	480
Searcher	-	-	280
<i>St. Ann's Bay.</i>			
Collector	-	-	560
Comptroller	-	-	480
<i>Port-Maria.</i>			
Collector	-	-	700
Comptroller	-	-	350
Waiter and Searcher	-	-	280
<i>Annotto Bay.</i>			
Collector	-	-	560
Comptroller	-	-	420

<i>Falmouth.</i>			
Collector	-	-	£.1120
Comptroller	-	-	560
Waiter and Searcher	-	-	420
<i>Montego-Bay.</i>			
Collector	-	-	1400
Comptroller	-	-	700
Waiter and Searcher	-	-	500
<i>Lucea.</i>			
Collector	-	-	700
Comptroller	-	-	350
Waiter and Searcher	-	-	280
<i>Savanna-la-Mar.</i>			
Collector	-	-	980
Comptroller	-	-	490
Waiter and Searcher	-	-	280

If any officer of customs having a salary demand fees he forfeits double the amount, recoverable before two justices. If he neglects his duty he forfeits for the first offence one hundred pounds, and his deputy fifty pounds, or may be indicted for extortion; and for a second offence forfeits his office, is rendered incapable, and liable to indictment. A duty of three shillings and four pence per ton laid on all vessels except droppers in addition to other duties. Vessels under forty tons to pay only once a year. Masters on entry to certify in writing their tonnage, and exhibit their register or sea letter, and incur a penalty of one hundred pounds, if guilty of fraud, recoverable before two justices. Tonnage of foreign vessels to be ascertained in same manner as that of British vessels — Droppers to pay once a year. Receiver general to give security under this act in twenty thousand pounds. No vessel to be cleared out until duties paid, under penalty of one hundred pounds. The salaries to cease if officers of customs collect any duties payable to the receiver-general. This act in force until thirty-first December, 1828.—8 Geo. 4, c. 19. No custom-house bond to be stamped.—7 Geo. 4, c. 8, s. 14.

DEBTORS, INSOLVENT.

Deputy-marshals to make out alphabetical lists on oath of all persons in custody for debt, time of detention, at whose suit, and deliver the same to judges of supreme and assize-courts on the second day of each court; those confined for debts not exceeding twenty pounds, exclusive of costs, after a month's confinement, on making oath of inability to maintain themselves, to be paid by the person confining them, white persons three shillings and four pence, of colour two shillings and six pence per day, or in default be discharged by a justice, and the fees paid by the public, but the creditor may proceed against goods; those in marshals' lists may be discharged by petitioning a judge to be brought into court, and those subscribing and delivering in two schedules of property they possess, names of their debtors, amount due to them, and names of witnesses to prove same, one schedule to remain with clerk of court, the other to be given to the assignees, and being examined in open court, if required, when opposing creditors may produce evidence in contradiction, and the prisoner in confirmation of his statement. All their effects to be delivered up to the deputy-marshal, who is to deliver them to the assignees; if the schedule be incorrect, and not through mistake, the prisoner to be remanded, and not brought up again that court. On being discharged, judgment to pass in the name of assignees for amount of debts contracted without probable means of payment, for which the prisoner must execute a warrant and on being satisfied of ability to pay, or in case of death, leaving assets, the court to order execution against property afterwards acquired, but not against the person, and order distributions as in first effects, until all the debts are paid, rejecting vexatious applications. If the prisoner within three years become entitled to property by gift or bequest, he may be remanded until he convey such property to the assignees; those detained through inability to pay gaol fees, may be discharged on making oath, that they have no property whatsoever, nor fraudulently conveyed away any, in a form prescribed by the law. The benefit of the act may be taken a second time, by those who have discharged all former debts, or after a confinement of two years; gaol fees of those discharged to be paid by the receiver general. Discharges if fraudulently obtained declared void. No person can take the benefit who has within three years conveyed land or slaves, or other effects, without a valuable consideration, or a fair application of the purchase money, or have purchased in the names of others, but to be remanded without the consent of all creditors to a discharge, and discharges of such persons declared void; those

perjuring themselves to suffer twelve months imprisonment and stand twice in the pillory. Assignees to be appointed by the court from among the creditors, who must take possession of effects; and sell them for the benefit of such creditors, according to priority, as shall, within a month after notice given, produce affidavits in proof of their debts, if any surplus to be paid over to the insolvent. If prisoners were in copartnership, the collection of partnership debts and custody of books to remain with the solvent partner, who, under penalty of five hundred pounds, must render yearly accounts to assignees, and pay over monies due; assignees entitled to five per cent. commission; rights of mortgagees or other persons to estate of insolvent not to be affected. Assignees may compound debts and settle differences by arbitration, and they must, when schedule amounts to two hundred pounds or more, under penalty of one hundred pounds and loss of commission, record in secretary's office, upon oath, by twenty-fifth March annual accounts, and deliver a copy to clerk of court, who is to be paid one shilling and three pence for filing, penalty recoverable in supreme court, one moiety to the informer the other to the king. In cases of mutual credit assignees may state accounts, and fix balances. The court, upon petition of creditors of misbehaviour or insufficiency of assignees, may remove them and appoint others. Before prisoners can petition for discharge, they must have been in custody for three months, after arrest or execution of venditioni, and give notice in the county papers for three weeks before the court of their intention, with name, trade, last abode, &c. If it appear that judgment has been obtained against the prisoner, has been admitted, or suffered by fraud or collusion, the prisoner to be remanded; previous to advertising they must deliver to the deputy-marshal their schedule and books of account, who must declare the same at the foot of the advertisement. This act in force until thirty-first December, 1828.—4 Geo. 4, c. 11.

See MARTIAL LAW.

DEFICIENCY.

Proprietors, &c. of slaves to have white persons in the following proportions: From forty to a hundred, one white person, and for every additional fifty, one more, who must be doing duty in the militia, or have served their time therein, or disabled on duty, and shall live on the plantation: but every proprietor his wife, children or grandchildren, resident in the island, whether doing militia duty or not, and the wife of any overseer

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actually doing duty in the militia, and residing, to save one deficiency each. When the number of whites on a plantation exceed five, the proprietor may save deficiency by those not employed on the property, but must give in on oath the names and residences of such substitutes, and that they have resided on some other plantation, the proprietors property, or in some house in towns assessed at thirty pounds per annum, the property of the proprietor, and that he has paid each such person a salary not less than fifty pounds, if residing in a town, or assigned him a suitable dwelling-house with ten acres of land.— No paupers to save deficiency. No person to save deficiency who does not produce to quarterly vestries a certificate of the captain of his company as follows, which the officer must grant, under penalty of ten pounds :

*I, A. B. of the company of the
regiment of militia, do certify that C. D. has, from the
day of until the day of
actually and properly performed his duty
as a soldier in the company I command, and that he declares
to me he saves deficiency as a substitute for E. F. proprietor
of estate, in the parish*

A. B.

Wives and children of substitutes cannot save deficiency unless they are settled on the property. No person deemed a possessor who does not hold in his own or wife's right, or as guardian, trustee, or on behalf of children or grand children; doctors and tradesmen cannot save, unless altogether employed on property, or if employed by different persons, nor can foreigners save but for foreigners unless naturalised, s. 1 to 4. All persons deficient of white servants, to pay seven shillings and six pence per quarter for all slaves over and above the number for which deficiency is saved, and so in proportion for any part of a quarter. Quarterly givings-in to be made on oath to vestries, specifying the number of slaves, names of runaways, number of hired slaves, names of persons saving deficiency, in what capacity, and where residing; names of those doing duty in militia, whether indentured, imported, &c. the time the persons began to save, and when removed, according to a form in the act. Falsely swearing, or procuring or suborning it, declared perjury. Any magistrate of the parish in which the property is, empowered to swear. Those having forty slaves and no person saving deficiency to pay for the whole, unless occasioned by death within the quarter, which exempts for remainder of quarter; owners of more than one estate in the same parish who may have more whites on one

estate than sufficient, may give in such supernumeraries for another estate. On notice given by a constable, or in the county or other paper for fourteen days before the day of vestry, if any person neglect to give in, they may be assessed at discretion of justices and vestry to double the number, over and above the slaves given in for last quarter, according to the best of their knowledge; the overseer liable to overassessment if his fault. Persons over-rated may be relieved next quarterly day, on making it appear to the justices and vestry they are so over-rated; by certificate to receiver-general, but not afterwards, which certificate must be signed by justices and vestry; but no certificate to be granted, unless a giving-in on oath, according to form, is made. Giveings-in to be sworn to by proprietors, attornies, or overseers. Those having slaves employed in different parishes, may give them in in the parish where they are employed on the vestry day. Clerks of vestries to make out rolls of assessments in thirty days to be delivered to collecting constable, who in twenty days must deliver accounts, under penalty of fifty pounds for every neglect; and the clerks must make out a general roll of all quarterly assessments, deducting reliefs, with a warrant annexed, signed by one or more justices, to be delivered to collecting constable, before the first day of June, who must collect by the tenth of August, and pay to receiver-general by thirty-first. No persons to save deficiency in two parishes, under penalty of five hundred pounds. Persons doing duty in militia to save deficiency for one year for the person importing them, whether they live or not; but they cannot save deficiency for first year, for any other person, and the name, and trade, with an affidavit of the importer, or representative, to be entered in the vestry books. Those importing able-bodied white men, actually residing on their property, above the number of whites required, and doing duty in militia, are entitled to credit with collecting constable, out of taxes, of fifty pounds per annum for each for the period he actually resides, not exceeding two years, on a certificate from justices and vestry; and an entry must be made in the vestry books, on oath, of the name and trade of the person imported. Indented persons can only save deficiency for those to whom they are indented, unless discharged; those giving them in for any other forfeit fifty pounds, to be recovered before two justices, one half to the parish, the other to the prosecutor. Indented persons entering into the service of another to forfeit from ten to fifty pounds, at discretion of two justices, or be imprisoned for a space not exceeding two months, unless the fine is sooner paid; but the indenture is not discharged by such proceedings.

Proprietors of plantations may receive arms and accoutrements from the island storekeeper, on producing the receiver-general's receipt for four pounds ten shillings for each set, and trooper's sets for seven pounds fifteen shillings, and the receiver-general is obliged to receive the money. Persons of free condition may save deficiency for proprietors of free condition, if doing duty in militia, and residing on the plantation; and they and their families save deficiency for themselves in same manner as white persons, and in all other respects the same under this act. Justices and vestries to make out and deliver tax rolls to collecting constables on twenty-eighth March. The receiver-general to receive and pay all monies and give security in ten thousand pounds. Those committing frauds against this act to forfeit fifty pounds in addition to other penalties inflicted; those not exceeding fifty pounds to be recovered before two justices, all above by action of debt. This act in force until thirty-first December, 1832.—8 Geo. 4, c. 10. No regular officer or soldier can save deficiency but for himself.—8 Geo. 4, c. 2, s. 1.

EXHIBIT LISTS, *see* PROCESS.

FIRE-ARMS, *see* GUNPOWDER.

FOREIGNERS

Must take out certificates of naturalization, signed by the officer who administered the oaths, to be recorded in secretary's office, having a stamp thereon of twenty pounds, if neglected for one month the naturalization declared void.—7 Geo. 4, c. 8, s. 5.

FOREIGN GOODS DUTY.

The following duties in schedule A to be laid on the importation of the different articles, from any foreign port in Europe, or in Africa, or from Gibraltar, the island of Malta, or dependencies, or the islands of Guernsey, Jersey, Alderney, or Sack, but the duties laid by the revenue act 1 Geo. 2, c. 1, as enumerated in schedule B to be deemed part of the duties in A, and the receiver-general to keep a separate account that the revenue duties be applied to the purposes of the revenue acts, the former, and 35 Geo. 3, c. 9. Regulations as to the value of goods, and proceedings of receiver-general, damaged goods, masters of vessels, granting bonds, ascertaining duties, landing goods, disposal of perishable articles, false manifests, recovery of penalties, bonding and warehousing, as also the return of duty on woods, &c. the same as in AMERICAN Goods duty act, which see. Duties under other acts to be considered as part of these duties, but all made liable to the highest duty imposed by this or any other act. This act in force until thirty-first December, 1828.—8 Geo. 4, c. 11.

SCHEDULE A.

	£.	s.	d.
Barrel of wheat flour, not weighing more than 196lbs. net weight	0	7	0
For every cwt. of biscuit or bread	0	2	1
For every barrel of flour or meal, not weighing more than 196lbs. not made from wheat	0	3	6
For every one bushel of wheat	0	1	6
For every bushel of pease, beans, rye, calavances, oats, barley, or Indian corn	0	0	10
Rice, for every 100lbs. net weight	0	3	6
For every 1000 shingles, not more than 12 inches in length	0	10	0
For every 1000 shingles, being more than 12 inches in length	1	0	0
For every 1000 red oak staves	1	10	0
For every 1000 white oak staves or headings	0	17	6
For every 1000 feet of white, yellow, or pitchpine lumber, of one inch thick	1	10	0
Other kinds of wood and lumber, per 1000 feet	2	0	0
For every 1000 wood hoops	0	7	6
Horses, mules, asses, neat cattle, and all other live stock, for every 100 <i>l.</i> of the value	10	0	0
Spirits, viz. brandy, Geneva, or cordials, for every gallon	0	1	6

	<i>£. s. d.</i>
And further the amount of any duty payable for the time being on spirits the manufacture of the United Kingdom.	
Wine imported in bottles, the ton containing 232 gallons	10 6 8
And further for every 100 <i>l.</i> of the true and real value thereof	7 10 0
And for every dozen of foreign quart bottles; in which such wine may be imported	0 1 6
Not in bottles, for every 100 <i>l.</i> of the true and real value thereof	7 10 0
Alabaster, anchovies, argol, aniseed, amber, almonds, brimstone, botargo, box-wood, citrants, capers, cascascos, cantharides, cumminseed, coral, cork, cinnabar, dates, essence of bergamot, essence of lemon, essence of roses, essence of citron, essence of orange, essence of lavender, essence of rosemary, emery stone, flax, fruit, viz. dry, preserved in sugar, wet, preserved in brandy, figs, gum Arabic, gum mastic, gum myrrh, gum Sicily, gum ammoniac, hemp, honey, jalapi, iron in bars unwrought, pig iron, juniper berries, incense of frankincense, lawn and Malta stone, for building, lentils, manna, marble, rough and worked, Mosaic work, medals, musks, maccaroni, nuts of all kinds, oil of olives, oil of almonds, opium, orris-root, ostrich feathers, ochres, orange buds and peel, olives, pickles, in jars and bottles, paintings, pozzolano, pitch, pumice-stone, punk, Parmesan cheese, pickles, priats, pearls, precious stones (except diamonds), quicksilver, raisins, rhubarb, sausages, sentia, scammony, sarsaparilla, saffron, safflower, sponges, tar, turpentine, tow, vermillion, vernicelli, and whetstones—for every 100 <i>l.</i> of the true and real value of each article	7 10 0
Clocks and watches, leather manufactures, linens, musical instruments, wires of all sorts, books and papers, silk manufactures; for every 100 <i>l.</i> of the true and real value of each article	30 0 0
Glass manufactures, cotton manufactures, soap, refined sugar, sugar-candy, and tobacco manufactured—for every 100 <i>l.</i> of the true and real value of each article	20 0 0
Salted beef and pork, the cwt.	1 0 0
Salted beef and pork imported from Newfoundland, whether of foreign production or not, the cwt.	1 0 0
Coffee, cocoa-nuts, sugar, molasses, and rum, for the purpose of being warehoused for exportation only—duty free.	
Coin and bullion, diamonds, salt, fruit and vegetables, fresh, cotton wool, goods the produce of places within the limits of the East India company's charter, hair and straw, herrings taken and caught by the inhabitants of the Isle of Man, and imported direct from thence, any sort of craft, food, and victuals, excepting spirits, and any sort of clothing, and implements or materials, fit and necessary for the British fisheries in America, imported into the place, at or from which such fishery is carried on, direct from the islands of Guernsey, Jersey, Alderney,	

Sark, or Man, being the produce or manufacture of such islands, or of the United Kingdom, rice and Indian corn, and lumber, the produce of any British possession on the west coast of Africa, and imported direct from thence — duty free.

Goods, wares, or merchandise, not being enumerated or described, nor otherwise charged with duty by this act, for every 100*l.* of the true and real value thereof 15 0 0
And if any of the goods hereinbefore mentioned shall be imported through the United Kingdom, having been warehoused therein, and exported from the warehouse, or the duties thereon, if there paid, having been drawn back, one tenth of the duties herein imposed shall be remitted in respect of such goods.

SCHEDULE B.

	£.	s.	d.
Spanish wine, the tun of 252 gallons	-	6	0 0
Madeira wine, ditto ditto	-	6	0 0
Western Islands or Azores, ditto ditto	-	12	0 0
French wine, ditto ditto	-	5	0 0
Rhenish wine, ditto ditto	-	5	0 0
Portugal wine, ditto ditto	-	5	0 0
Brandy, for every gallon	-	0	1 6

FORTS AND FORTIFICATIONS.

Members of council and assembly, after writ of election returned, commissioners, five a quorum, one of the council and three of the assembly being always a part, jointly with the governor, to repair and make addition to forts and fortifications, &c. and to enter into contracts; but no agreement to be made without advertising in *St. Jago* and *Royal Gazettes*, and if for work to be done in *Cornwall*, in the *Cornwall Chronicle*, for all persons to give in estimates, and no contract to be entered into without good security. No money to be issued from fortification fund but by order under the hand of the governor, jointly with five of the commissioners. They may order the collection of stones, sand, and other materials, from any lands, making reasonable compensation. No more money to be expended on forts than granted by the assembly. All bonds under the act to be recorded, which is in force until thirty-first December, 1829.—7 *Geo. 4, c. 5.*

GOVERNOR'S SALARY.

The sum of four thousand five hundred pounds, payable quarterly, granted to Sir John Keane, K.C. B. over and above the salary appointed by his majesty's instructions out of the revenue.—8 Geo. 4, c. 1.

See GOVERNOR and REVENUE.

GUNPOWDER AND FIRE-ARMS.

Masters of vessels arriving at any port, at time of entry, to give a bond in five hundred pounds, not to land gunpowder without a license from the custos or senior magistrate, or commanding officer of the militia of the parish, under penalty of forfeiture of vessel, &c. the powder to be lodged in the nearest fort or other place of security. No person to sell or barter gunpowder or fire-arms without the governor's license, granted on a certificate from the justices and vestry that the party is fit to be entrusted, to be recorded in secretary's office, whose receipt must be produced before the license is granted. Persons licensed to take the following oath :

I, A. B. do swear, that I will not sell or barter, or, with an evil intent, give or otherwise dispose of, under any pretext or means whatsoever, any gunpowder, or suffer any person or persons in my service or employ, or under my command, to sell or barter, under any pretext or means whatsoever, any gunpowder or fire-arms, as the case may be, except to such white person or persons who shall have a certificate from a member of the council or assembly, the custos, senior magistrate, or commanding officer of the regiment or battalion of the parish or precinct where he, she, or they shall reside, that they are persons proper to be entrusted with the same ; and that I will, at each and every quarterly vestry, return to the vestry a general account, on oath, of all such gunpowder or fire-arms, as the case may be, as shall have been sold or bartered by me during the said quarter, with the certificate so granted, and the receipts of the persons thereon to whom the same was sold or bartered : So help me God.

The person licensed must enter into bond with two sureties, in the sum of one thousand pounds for the due performance of the trust ; fees to secretary of governor and of island twenty shillings each. Those selling without license incur a penalty of five hundred pounds, and imprisonment not exceeding six months. Justices and vestry and corporation of Kingston to fix the price of gunpowder at every quarterly meeting, under

penalty of twenty pounds on each for neglect. Those demanding higher prices forfeit five pounds for every pound of powder, and the license. Those selling, bartering, giving, lending, &c powder or fire-arms to slaves or maroons with evil intent declared guilty of felony; and those doing so without licence, and without evil intent, to suffer fine and imprisonment according to circumstances; but any proprietor, or person in charge may arm slaves under their direction, for necessary protection and preservation. Persons who have a license must reside in Kingston, Port-Royal, St. Jago de la Vega, the chapel in Clarendon, the alley in Vere, Black-River, Savanna-la-Mar, Lucea, Montego-Bay, Falmouth, St. Ann's Bay, Port-Maria, Rio Nova Bay, Annotto-Bay, Port-Antonio, and Morant-Bay, and, except one barrel, must keep their powder in the fort or magazine nearest, to be delivered out only by order of the custos, senior magistrate, or commanding officer, under penalty of one hundred pounds on the captain of fort, or keeper of magazine, who is to receive for his trouble ten shillings per barrel. Those having ten pounds of powder in their custody must give in an account of it to the custos, &c. in forty days, under penalty of two hundred pounds. Those having quantities for sale or otherwise shall give in upon oath to the next quarterly vestry, an account of expenditure, under penalty of two hundred pounds. Those importing, or receiving, any quantity exceeding 14lbs. to give in the same, on oath, at the next quarterly vestry, under penalty of one hundred pounds, and the purposes for which it is expended. No persons to sell gunpowder imported but to receiver-general or to licensed persons, under penalty of five hundred pounds, excepting to masters of ships for the use of their vessels, who must have a license from a member of council or assembly, a custos, or senior magistrate, or commanding officer of militia, and entering into bond with two or more securities, in five hundred pounds, that he will take the powder on board and not reload it, to be recorded in secretary's office, whose fee is fifteen shillings. All penalties above one hundred pounds to be recovered in supreme and assize courts, one half to revenue one half to informer; those under one hundred pounds to be recovered before three justices, one half to the informer, the other to the poor. Nothing in this act to extend to the powers granted under militia and party laws, or abridge the governor's authority. In force until thirty-first December, 1829.—7 Geo. 4, c. 6.

See TONNAGE.

HORSES, NEAT CATTLE, ASSES.

No person to turn loose any stoned horse, not being fourteen and a half hands high and three years old, on pain of forfeiture of the horse, which becomes the property of the person taking him, when condemned by a justice, on oath, unless the party claiming the horse pay a penalty of ten pounds, when the horse must be castrated and returned. If diseased horses, mules, &c. are allowed to go at large, the owner forfeits fifty pounds, to be recovered in supreme and assize courts; and knowingly turning loose animals with glanders a penalty of two hundred pounds, recoverable as aforesaid, and the animals destroyed. Receiver-general to pay an annual bounty of twenty guineas to the breeders of the heaviest steer, cow, or heifer, exceeding thirteen hundred pounds weight, which shall be killed previous to the thirty-first December in each year, on producing a sworn certificate by the slaughterer; and the same bounty to the importer of the first five proof jackasses imported in each year, of the full size of fourteen hands, to be certified by a vestry. This act in force until thirty-first December, 1829.—5 Geo. 4, c. 2.

See RACER.

JUDGMENT.

In cases of sales by collecting constables of the slaves or goods of persons having judgments against them, if there be any surplus it must be paid into the provost-marshal's office, on notice being given the collector by the judgment creditor, and he may stay paying over such surplus for one month from time of sale, that a venditioni may be issued.—5 Geo. 4, c. 8, s. 16.

JUSTICES AND VESTRY.

UNDER COLLECTION OF PUBLIC TAXES LAW.

No vestryman nor clerk of vestry can be a collecting constable.—5 Geo. 4, c. 8, s. 5. Custos or senior magistrate of each parish to issue warrants to summon vestries on the twenty-eighth March, twenty-eighth June, twenty-eighth September, and twenty-eighth December, or within twenty days next after, under penalty of ten pounds, and every vestryman not attending, five pounds, if there are not two magistrates and six vestrymen in attendance. Clerks of vestries must advertise lists of persons assessed for taxes in the county paper immediately after they are made; and those over-rated may be relieved by the vestry, if the party aggrieved represent the same on oath in three months after demand is made upon him, by granting a certificate to the receiver-general, signed by the vestry, and attested by the clerk, containing the grounds on which the relief has been granted, for the information of the commissioners of accounts, and the amount of relief shall be allowed by receiver-general to the collector, but vestries can grant no relief, at any time afterwards, except with the special approbation of the commissioners. Clerks of vestry to be paid six shillings and eight pence for every certificate of relief.—When persons remove from one parish to another who are indebted for taxes, on oath of the collector that no effects can be found, the vestry to relieve, and certify the amount to the vestry of the parish to which the party has removed, who must issue a roll, with a warrant annexed for levying, to their collector, who must levy for the same, and pay over to the receiver-general, and such parish shall stand charged with the amount so transmitted in the public books. Sureties of collectors are liable for all monies uncollected, but upon proof, within twelve months of issuing the roll, that it was not possible to distrain, vestries may relieve, and grant a certificate to the receiver-general, s. 21 to 28. Collectors to give in to ves-

tries on oath at their first quarterly meeting after the twenty-eighth December, an account of arrears, under penalty of two hundred pounds, to be levied for by warrant of the presiding magistrate, and doubled for every succeeding offence until he comply; upon delivery of such lists the vestry empowered to relieve on oath all those who may appear proper objects, and to direct arrearage rolls to be immediately made out, with a proper warrant signed by two magistrates to the collector to collect the same, s. 26, 27, 28. Clerks of vestry to enter duplicates of the rolls in the parish books, with an oath at foot that it is an exact copy, under penalty of fifty pounds, and to transmit duplicates on oath to receiver-general, within thirty days after assessment, under a like penalty, for which receiver must grant a receipt under penalty of one hundred pounds, s. 43, 44. Clerks of vestry to transmit to receiver-general, under penalty of twenty pounds within ten days after quarterly vestries, an account of all taxes collected, as returned to vestry by the collectors, s. 52. Clerks of vestry before they act must be sworn in open vestry, under penalty of one hundred pounds, faithfully and diligently to execute the duties of their office; and if they are guilty of any gross neglect, and convicted before a court of quarter sessions, by sentence of such court they may be discharged and rendered incapable, and the sentence not to prevent recoveries of fines against them. All monies arising under this act to be applied to the public use, and it is to be read at the first vestry after the twenty-eighth March, under penalty of five pounds on every justice and vestryman. This act expires on thirty-first December, 1831.—5 Geo. 4, c. 8.

JUSTICES, AND VESTRY UNDER PROCESS LAW.

Between the first of January and twentieth April, they must cause exhibit lists to be made by the clerk of the vestry of all persons fit to serve as jurors, which must be transmitted to the chief-justice by the twentieth of April, under penalty of fifty pounds on each justice and on each clerk of vestry, and thirty pounds on each vestryman. Duplicates must be sent to the provost-marshal, and the original to be filed in clerk of courts office, s. 10. Justices in issuing warrants for quarterly givings-in to direct that minors and indented servants be distinguished, and clerks of vestry, within twenty days after giving-in, to transmit lists of white persons, leaving out minors and indented servants, to the provost-marshal or deputy.—7 Geo. 4, c. 24, s. 14.

UNDER DEFICIENCY LAW.

They must issue warrants to summon all proprietors to give in quarterly according to the form in the deficiency law, com-

mening with twenty-eighth March, 1828. Justices may examine persons appearing to give in as to their station, &c. and their knowledge of the persons given in, and if it appears any are not properly qualified, they may strike out the names, and falsely swearing is made perjury. On due notice given by a constable, or fourteen days in a newspaper, if persons neglect to give in the justices and vestry may assess to the amount of treble the last giving-in, &c. Clerks of vestry to make out rolls, &c. *See DEFICIENCY.*

UNDER POLL-TAX LAW.

Justices and vestry may grant licences to hawkers at a charge not exceeding two pounds thirteen shillings and four pence. Justices, or any two to issue warrants in ten days before twenty-eighth of March to summon vestries on that day, or within twenty days after, as also all owners to give in their taxable property in forms prescribed by the law, in failure of which they may assess in double the amount of last year or according to the best information. They must exempt no one from taxation, but may relieve proper objects, under penalty of one hundred pounds on each. Officers of army and navy exempted from taxation on all property necessary to their rank as well as on rent. Clerks of vestry in thirty days after assessments to make out and deliver rolls thereof to collecting constable, with a warrant annexed, signed by one or more justices, and duplicates of same to receiver-general, under penalty of fifty pounds.—8 Geo. 4, c. 15. *See LAND TAX.*

UNDER SPIRIT DUTY LAW.

Custos, or senior magistrate, within forty days after the first of January, to summon, giving ten days notice, and hold a vestry for granting licences to retail liquors, under a penalty of one hundred pounds, and licences must be taken out by such day as the vestry may appoint, under penalty of forfeiture. For regulations as to granting licences, making out rolls, &c. *see SPIRITUOUS LIQUORS.*—8 Geo. 4, c. 17.

See COLLECTING CONSTABLES, DEFICIENCY, LAND-TAX, POLL-TAX, SPIRITUOUS LIQUORS.

LAND TAX.

A tax of three pence per acre laid on land. Justices to issue warrants, or any two of them, on or before twenty-eighth March, to summon vestries to meet, and warn proprietors to give in on oath in a form prescribed. Clerks of vestries to make out rolls in thirty days after assessment, with warrants annexed, under the hands and seals of two justices, and delivered to collecting constable; who must collect, and pay to the receiver-general in thirty days after receiving the roll, and empowered to distrain, &c. and sell in manner pointed out by 5 Geo. 4, c. 8.—See COLLECTING CONSTABLES. Persons neglecting to give in after a month's notice by clerk of vestry in the county papers, justices and vestry may assess in double the quantity of land supposed in possession; but relief may be granted at next quarterly day, or within three months after the assessment is demanded by the collecting constable, on a proper representation, on oath, to the justices and vestry, who must grant a certificate of same to receiver-general. If overseers neglect they are made liable for assessments. Those desirous of surrendering lands to the king, may do so in due form, on taking oaths that they have received from it no profit equal to the tax, and do not do so fraudulently, in forms laid down in the law, to be made in open court. In case of deficiency of goods, &c. in one parish to levy on, collector to send an attested copy of account to the receiver-general, which he must within twenty days transmit to the clerk of vestry of any parish where goods may be, both under penalty of fifty pounds, and the justices and clerks of such parish are to authorise their collecting constable to levy for the same, under penalty of one hundred pounds on each.—Collecting constables allowed six pence in the pound for collecting; and made amenable in supreme court for neglect of duty: and the receiver-general empowered to take out writs against the body and goods of his securities, as if judgment had been obtained, and execution returned; as also against collecting constables, who shall not be taken by virtue of attachment, or against the goods of such as have been attached. Lands in other parishes may be given-in in that in which the owner resides. Clerks of vestry allowed twenty-five pounds for making out rolls, &c. but which is forfeited if they do not distinguish the land lying in other parishes from that in their own. Receiver to give bond in twenty thousand pounds, with security under this act, under penalty of five hundred pounds for acting without doing so. Justices and others neglecting their duty under this act to forfeit twenty pounds, recoverable before any justice, half to the king half to the informer. Clerks

of vestries to transmit in thirty days exact duplicates of rolls to receiver-general, under penalty of fifty pounds, who must grant receipts for them, under a like penalty. Penalties exceeding twenty pounds, to be recovered by action of debt, half to the king, half to the informer. This act expires thirtieth December, 1828.—8 Geo. 4; c. 16.

MASTERS IN CHANCERY.

Their fees to be as follow :

For an affidavit or oath to an answer, petition for a receiver, or injunction, and for the master's trouble in examining the said answers and petitions, and making erasures and interlineations therein, or in documents annexed thereto	1 0 0
For all other affidavits	0 1 0
For every recognizance entered into for any purpose, under any order of the court, including the necessary time for inquiring into the nature and extent of the property, taking and marking on the recognizance the justification of the surety or sureties, and all which it shall be the duty of the master to do	2 15 0
For attendance in taking the examination of witnesses, under and by virtue of any commission issuing out of the high court of chancery of this island, in any cause to them or any of them directed, per hour	1 5 0
For copying and transcribing fair the examination or examinations of any witnesses to be by them signed, per sheet of 160 words	0 3 0
For any warrant or summons for the parties to attend before him	0 5 0
For every certificate signed by such master	0 5 0
For every hour the said master shall attend at the instance of either of the parties, or their solicitors, to take and settle the several accounts directed by the said court, and for other business to be done and transacted before him by virtue of such order, per hour	1 5 0
For taking the examination of witnesses before him at the instance of the parties, or their solicitors, by virtue of any decretal order of the said court, made in any cause to him directed, per hour	1 5 0
For every exhibit marked or signed by him, and made in proof, when a cause shall be at commission, or any account exhibited before him, on reference (excepting any receipts or vouchers which may be produced to prove the authenticity of any accounts), taken before him	0 2 0
For a fair copy of his report to be returned to the court, per sheet of 160 words	0 2 0
For a copy of the said report, if required by the parties, or their solicitors, per sheet of 160 words	0 2 0
For copies of accounts at 160 words per sheet, besides the columns for dates and sums	0 2 0
For their trouble in attending the sale of any lands, slaves, or other premises, by virtue of and under any order of decree of the said court	10 0 0
For each day's attendance at such sale, if in any of the three towns of St. Jago de la Vega, Port-Royal, and Kingston, including travelling expences such master may be put to in going from the place of his abode to either of the said towns; but in case it shall be necessary for any such master to go from his place of residence	

£. s. d.

In any of the said towns to any other place, at the desire of either of the said parties who shall be interested in any sale or other business, to be by them done by virtue of any order of the court of chancery, such master shall be at liberty to take and receive from such person or persons, who shall desire such his attendance from his place of residence, or each mile that he shall go from his place of residence

1 0 0

It is declared unlawful for any of the masters to charge, receive, or take, for passing, inquiring into, or making the annual reports of any sugar-estate, including notices, time, engrossing report, and one copy for the perusal of the parties, any greater charge or sum of money than at and after the following rates upon the actual crop of that year, viz.

For an estate not shipping more than one hundred hogsheads of sixteen hundred weight, of one hundred and twelve pounds to the hundred, the sum of - 50 0 0

For an estate not shipping or selling more than one hundred and fifty such hogsheads - 100 0 0

For an estate not shipping or selling more than two hundred such hogsheads - 110 0 0

For an estate not shipping or selling more than two hundred and fifty such hogsheads - 120 0 0

For an estate not shipping or selling more than three hundred such hogsheads - 130 0 0

And for any other sugar-estate, let the crop be what it may 140 0 0

Nor are they to take for any coffee settlement, for any such annual report, more than the following rates on the actual crop of that year, viz.

For a coffee-settlement making not more than fifty tierces of six hundred weight of one hundred and twelve pounds to the hundred, the sum of - 50 0 0

For a coffee-settlement making not more than eighty of such tierces - 70 0 0

For a coffee settlement not making more than one hundred of such tierces - 80 0 0

For a coffee-settlement making upwards of one hundred such tierces - 90 0 0

And no more, and for any pen or other settlement on which there shall be less than fifty negroes - 50 0 0

Provided such pen or other settlement is not an appurtenant to any other estate, coffee, or other settlement; if it is, no charge shall be made.

For any pen or other settlement, on which there shall be less than one hundred negroes, and not more than fifty 60 0 0

And for any pen or other settlement whatsoever, on which there shall be more than one hundred negroes - 70 0 0

And no more.

It is also declared, that the said masters, any or either of them, where any sale or sales are directed to be before a master, shall not be entitled, upon such sale or sales, to receive any sum or sums of money whatsoever for commissions, or for his trouble in lieu thereof, but shall be entitled to such fees only for his attendance at such sale as are before mentioned.

No commissions to be charged on sales before a master, who is only entitled to his fees, a table of which must be kept open in the register's office. No master extraordinary to act in St. Catherine's parish, under penalty of fifty pounds for every act.

to be recovered before a justice. No judge of the supreme or assize-courts can be a master. Every master shall, on or before the twenty-fifth day of March, make a schedule of all causes referred to him, and of monies in his hands applicable to them, whether such cause is in progress, abated, or decided, to be hung up in the register's office, for which no fee is to be charged. Every master in whose hands money shall be for three months, to pay the same to receiver-general, on or before the thirtieth June, for which he must give a receipt, and carry to the credit of the cause; and if it amounts to one hundred pounds to bear an interest of five per cent. to be paid by him when the receipt is endorsed by the respective solicitors and the master, or by an order of the court of chancery, receivers fee for receipt, five shillings; masters to make such schedules, under penalty of one hundred pounds for every cause omitted, and one hundred pounds per month for every month he delays paying the money to receiver-general, unless in due course of appropriation. No master to quit the island until he has made out a fresh schedule of all causes that have been referred to him, on account of which he may have received monies, which he must state on oath, and pay over to receiver-general, and the secretary of the island not to grant a ticket of departure, until a certificate of receiver-general is produced that he has received the money, and the ticket to be in force for only three months. No master nor solicitor to be appointed a receiver, unless he is owner or part owner of the estate, under penalty of fifty pounds per month; no master to copy any account, bill of parcels, or invoice, of more than six lines into a report, under penalty of one hundred pounds for each. All vouchers, receipts, &c. to be numbered by him, which he has received as evidence, and lodged with the report in register's office, who must grant a certificate of having received same, under penalty of fifty pounds, to be recovered before a justice. Masters may charge the sum paid to registrar for taxing. No person to be a master under twenty-five years of age, and without certificate that he has served under a master for three years. Copartnerships between masters declared illegal, and a penalty of five hundred pounds for entering into them, besides being rendered incapable. Register not to tax a master's bill till fifteen days notice given the parties or their solicitors; which are afterwards to be filed. If the register tax higher charges than the act allows he forfeits one hundred pounds. On objections being made the register to call on master to produce his books, or other proof; solicitor's bill to be taxed by the registrar, his fee two pounds ten shillings; and solicitors demanding more to forfeit five hundred

pounds. In cases of receiverships six days notice to be given to parties before recognizance entered into, and masters to cause securities to justify, under penalty of five hundred pounds, to be certified on back of recognizance. Masters offending against the act to forfeit five hundred pounds, and be incapacitated. Penalties to be recovered by action of debt, and receiver-general to give security in five thousand pounds. This act in force until thirty-first December, 1828.—4 Geo. 4, c. 20. No one appointed a master in ordinary to be sworn in until he has filed in register's office a certificate from the receiver-general of having paid five hundred pounds for the use of the public.—8 Geo. 4, c. 17, s. 38.

MAROONS.

Superintendents of maroons not entitled to receive salary before they lodge with receiver-general an affidavit of the number of days they have resided in the towns, nor unless it appears they have there resided, or in a house approved by the governor, within a mile of the town at least sixty days in each quarter, or been on actual service with a party.—8 Geo. 4, c. 15, s. 16. When on service on the application of individuals to be paid by them, unless the cause appear to two justices to be of a public nature, when, on their certificate, or if the party be sent out by order of the governor, the public must pay the expence.—8 Geo. 4, c. 15, s. 27.

MARTIAL LAW.

Writs of arrest *and ne exeat insula*, and other process of law and equity to be executed notwithstanding the existence of martial law, if it be shewn on affidavit that the party is about to leave the island, and writs of foreign attachment against absent debtors to be executed notwithstanding its existence. Judges, &c. to act in criminal matters, committing, bailing, and binding over, and coroners to execute their offices during: in cases of forcible entry or detainer judges to sign writs of restitution and possession according to law, and all officers to execute writs, &c. for such purposes as if it was not in force: Landlords may distrain for rents upon giving security to the amount of the goods distrained on to abide the issue of replevins. Justices and vestries, churchwardens, surveyors of highways, to discharge their duties during martial law, to meet and raise parochial taxes, and constables to collect the same as well as the public taxes; constables distraining to give security before a justice in case of replevin. This act in force until thirty-first December, 1829.

See RULES and ARTICLES of WAR.

NAVAL OFFICER, RECEIVER-GENERAL, AND SECRETARY.

The following fees to be paid on the entry and clearance of vessels :

To the Naval Officer.

	<i>£. s. d.</i>
For entering all vessels from Great-Britain and Ireland, examining and recording certificate that bonds are given according to the act of navigation, and examining all cockets, bills of stores, and certificate of the freedom of the ship, and taking an account of the same, together with all goods that are liable to duty, and certifying the same, with the marks, numbers, and packages, and making out quarterly lists of the same to his majesty's board of trade	2 10 0
For clearing all vessels, as above	2 10 0
All vessels entering and clearing in ballast shall only pay half of the above fees.	
For entering all vessels from America and the Spanish Main, in the same manner as above	1 5 0
For clearing all vessels as above	1 10 0
For clearing all vessels trading round the island	0 2 6
For clearing every plantain-boat	0 1 3
For a plantation-bond, certificate of ditto to the collector, and cancelling the same	1 15 7½
For a warrant of survey, return, and recording	2 0 0

To the Receiver-General.

For entering or clearing all vessels whatever, having a cargo on board, from a foreign voyage, or going on one, every service included	0 13 4
For each drogger, entering or clearing	0 2 6
For each plantain-boat, entering or clearing	0 1 3
For every bond required by law	0 1 0

To the Secretary.

For entering all vessels from Great-Britain or Ireland, and taking bond, including stamp	2 10 0
For clearing all vessels as above, all services included	0 13 4
For entering all vessels from any port, except Great-Britain or Ireland	1 15 0
For clearing	0 10 0
For drogging bond pass every six months	1 0 0
For clearing each drogger	0 2 6

All vessels to enter at the port where they first break bulk, or at the nearest custom-house, and cleared at the last port of loading, or nearest custom-house; in removing from one port to another, a drogging pass to be granted on paying the fees for droggers, if more demanded a penalty of double the amount may be recovered before two justices. Vessels trading to and from the Caymanas to pay as droggers. Officers neglecting

to comply with the regulations of the act for preventing smuggling, 28 Geo. 3, c. 15, (*See SMUGGLING*) to forfeit two hundred pounds, and if they demand more than the fees therein fixed to forfeit double the amount. They must grant receipts with particulars of amount, under penalty of ten pounds.—Printed copies of fees to be fixed up in their offices within thirty days, under penalty of fifty pounds, and five pounds per day until put up. These and the custom-house offices to be open from nine till three, if greater fees are demanded double to be forfeited; those neglecting their duty, or refusing to deliver papers, in entering and clearing, on the legal fee being tendered, to forfeit for the first offence one hundred pounds, and the deputy fifty pounds, or may be indicted for extortion; and, for the second offence, to forfeit his place and be declared incapable, and liable to indictment for extortion. Officers of forts who detain vessels on frivolous pretences or delay their departure to forfeit two hundred pounds, but the governor may detain vessels where he sees sufficient cause. Penalties to be recovered by action of debt, one moiety to the party aggrieved and one to the poor. This act in force until thirty-first December, 1828.—8 Geo. 4, c. 18.

NEAT CATTLE, *see* HORSES.

POLL-TAX.

The poll-tax of the present year is three shillings and four pence on slaves, ten pence on stock, twenty shillings per wheel on carriages. Persons in trade in the towns to pay the same sum to the public, as they are assessed at for parochial taxes, which justices and vestry must assess under penalty of one hundred pounds each. Goods arriving at any port and not consigned to a person paying taxes, are made liable to a transient tax. Masters of vessels to deliver to the receiver-general, on oath, manifests of all goods; &c. on his vessel, to whom consigned, under penalty of two hundred pounds. All supercargoes, &c. importing goods, who have not paid taxes, to give in on oath, under penalty of five hundred pounds an account of their cargoes, and to whom consigned; and all who have not paid taxes, or are not assessed, to pay five per cent. on the amount of their invoices, or secured on bond payable in twenty days after entry; the naval officer not to clear out vessels unless the receiver's certificate is produced of the tax being paid, under penalty of one hundred pounds. On entering all masters of vessels must take an oath, in the form prescribed by the law, to be kept in a book, as to the value of such cargoes. If the goods are consigned to a person paying taxes, the consignee to make oath, under penalty of five hundred pounds of the nature of the consignment, that he will charge a commission of five per cent. which he will not in any way refund, and that he knows of no evasion of the transient tax. Swearing falsely punishable as for perjury. Receiver-general, and deputies, and island tide waiter, to have same powers as under 1 Geo. 2, c. 1. (*See REVENUE*). No goods to be landed without a certificate from receiver-general that the duties have been paid. Masters, &c. having goods for other ports, on paying taxes, or giving security, may go to any such port, having a certificate from receiver or deputy from port of entry, of the same. If duties not paid at port of entry they may be paid at port of clearance, on producing certificate of security being given. A tax of one shilling and eight pence in the pound to be laid on actual annual rents of all houses in towns at and above fifty pounds per annum, to be levied as other taxes. Vestries, &c. may grant licences to hawkers at a charge not exceeding two pounds thirteen shillings and four pence. Justices and aldermen, or any two of them, to issue warrants in ten days before twenty-eighth March, to summon corporation and vestries to meet on that day, or within twenty days after; as also all owners and proprietors to give in their taxable property, on oath, and in forms prescribed in the law, as well for the country as the different towns; in failure of which they are to as-

indiv.
March

ness in double the amount according to the best information; justices and vestry, or corporation, must exempt none from taxation, under penalty of one hundred pounds on each, those who vote contrary exempted; they may however relieve proper objects. Officers of army and navy exempted from all taxation on rent, or property necessary to their rank. Clerks of vestry, in thirty days after assessments, to make out a roll and annex a warrant, under the hand of one or more justices, and deliver it to the collector, who must collect and pay to receiver-general on or before the twenty-first of August, retaining six pence in the pound, and full powers given them to distrain and sell; but must give fourteen days notice of sale by fixing a written notice up in the most public place, and advertising in the manner directed by 5 Geo. 4, c. 9.—(See COLLECTING CONSTABLES.) Sales not to be postponed more than once, without the written consent of proprietor, under penalty of fifty pounds. If persons neglect to give in they may be assessed in double the amount of preceding year. Receiver-general to give bond under this act with good security in one hundred thousand pounds, and clerks of vestries, &c. to transmit duplicate of tax-rolls to him in thirty days after assessment, under penalty of fifty pounds, signed by one or more justices, for which the receiver must grant a receipt under a like penalty. The settlers at Bath not exempted from taxes. Penalties not exceeding one hundred pounds to be recovered before two justices, above by action of debt. Keepers of lodging-houses at Bath exempted from the tax on rent. Contingent accounts of troops, which have been approved by commissioners of forts, must be sent to the house by the governor to be audited. Barrackmaster-general authorised to appoint proper persons to take charge of barracks and the furniture, &c. who are allowed ten shillings per week, on a certificate signed by the barrackmaster being produced to the board of works, mentioning the time served, and that the duty has been diligently performed, and the furniture is in proper repair.—The receiver-general to pay all sums directed by law without delay, but he may issue certificates instead of money, under direction of commissioners of accounts. All deputy-marshals to pay fines they have received to the receiver-general within twenty days after receipt, under penalty of treble the amount. Fees granted to custom-house officers on plantain boats of fifteen tons and under, not to include boats, &c. passing from one port to another. The road-tax of preceding year to be payable in August of the following year. Those swearing falsely to be punished as for corrupt perjury. Pay allowed to maroons when on service, on the application of individuals, to

be paid by such individuals, unless the cause appears to two justices to be of a public nature, when, on their certificate, or if the party be sent out by order of the governor, the public must pay the expence. Receiver-general authorised to pay to persons who can prove they have employed, as apprentices for twelve months, as handicraftsmen, twenty youths of free condition, a bounty of ten pounds for each. Those who can prove next session that they have employed for six months preceding the thirtieth September, 1828, in any trade, more than ten free persons of colour, without apprentice fee, to receive a bounty of ten pounds for each, on producing certificates pointed out by the act, which is in force to thirty-first December, 1828:—
8 Geo. 4, c. 15.

PROCESS.

In calling over the list of actions in the grand court and establishing services one judge declared competent. The provost marshal must keep an alphabetical register of all actions, all warrants and writs mesne or judicial, with dates of lodgement, to be open to all persons; and he must deliver to presiding judge and to the attorney-general, the first day of court, the names and description of all prisoners, the date and cause of their imprisonment. He is allowed for executing warrants, twenty shillings, with mile-money, one shilling for the first twenty miles, and six pence for every mile more. Deputy-marshals to be diligent in their duty, and in cases of gross neglect or corruption may be fined not exceeding one hundred pounds, or dismissed and rendered incapable. If plaintiffs, &c. who have lodged writs give notice in writing not to execute them immediately, or direct a *nulla bona* to be returned, the writ must not be issued, nor shall any deputy having such notice execute the same, under penalty of five hundred pounds on those offending, as well as being liable to an action of damages. Special precepts to be forthwith granted by the provost-marshal, if writ lodged, and being paid twelve shillings and six pence, and the deputy to execute the same as directed by plaintiff in writing, and, if he has no direction, use his utmost diligence in executing; when special precepts issued, no other precept to be so, nor fees exacted unless a levy made, under penalty of five hundred pounds, but special precepts must be directed to lawful deputies. In advertising levies under writs, the name, colour, sex, trade, and age of slaves to be stated, and all levies advertised in the county paper. No collecting constable, deputy-marshal, or supervisor of a workhouse

to purchase directly or indirectly any slaves exposed by them for sale, and such sale to be null and void, and the levy re-sold by order of court, and costs paid by offender, who is also rendered incapable of holding his office. A list of fines received to be delivered by provost-marshal to the attorney and receiver-general, in which the king or revenue is concerned, the second Wednesday in every supreme court. Justices and vestries between first January and twentieth April to cause an exhibit list to be made by the clerk, of all persons fit to serve as jurors, which must be transmitted to the chief-justice by the twentieth of April, under penalty of fifty pounds on each justice, and thirty pounds on each vestryman, and fifty pounds on the clerk of vestry, and duplicates must be sent to provost-marshal, the original to be filed in clerk of court's office; from these the provost-marshal must form his panels, or, if lists not sent, from those of the preceding year, for the three supreme courts and courts of assize next ensuing, so as to render the service as equal as possible. Provost-marshal to compare the lists with the preceding year, and not insert the name of any person who served the preceding year until the names of all in the current year who did not serve have been placed therein. Before the twentieth May he must make out and sign the panels of jurors for the three supreme and assize-courts next to ensue, and return the same into the office of the clerk of court, under penalty of five hundred pounds, and no alteration to be made in them by himself or others under a like penalty. The panels to consist of eighty-four. Justices in issuing warrants for quarterly givings-in, to direct that minors and indented servants be distinguished, and clerks of vestry within twenty days after giving-in to transmit lists of white persons, leaving out minors and indented servants, to the provost-marshal, or deputy. No persons exempt from being jurors on account of office, unless in such cases as the laws of England have excepted them, and the members of the council, those who have been chief-justice, and pilots. Supreme court may, on motion of plaintiff or defendant, grant special juries, in supreme or assize-courts; those applying for them must pay their expences, unless the court certify after the trial, in open court under their hands, upon the back of the record, that the same was proper; the jurors to be allowed one guinea each. Any person refusing to be examined as a witness, under a commission from a judge (*see JUDGES*) to forfeit the sum of one hundred pounds, to be recovered by action, one moiety to government the other to the party injured. False testimony declared perjury. In writs of partition when the provost-marshal cannot attend he may authorise one of his deputies, by precept, to make partition.

Crown witnesses confined in gaol for want of bail to be allowed six shillings and eight pence per day. All offences against this act not specified to incur a penalty of fifty pounds, and all penalties to be recovered by action, one moiety to government, the other to informer. This act in force until thirty-first December, 1833.—7 Geo. 4, c. 24.

PUBLIC BUILDINGS, *see* BOARD of WORKS.

PROVISION EMBARGO.

The governor empowered and required to prohibit by proclamation the exportation of provisions when necessary, and the receiver-general must direct vessels to be searched, to see no more is on board than sworn to in the offices, and if more be found the vessel and cargo to be confiscated, and the attorney-general must proceed against her in the grand court, one half the forfeiture to the informer the other to the revenue. Provisions may be carried from port to port of the island, upon being regularly cleared, and bond given to double the value to procure a certificate, within four months of their being duly landed, where there is no custom-house a certificate of a wharfinger, on oath, sufficient. This act in force until thirty-first December, 1831.—7 Geo. 4, c. 4.

PUBLIC ACCOUNTS, *see* COMMISSIONERS of ACCOUNTS.

RACES.

Purses of one hundred pistoles to be run for on the last Tuesday in November, near Spanish-Town, the best three three mile-heats, under such rules and regulations as in Great Britain, by any stoned horse or horses; mare or mares, gelding or geldings, at the following rates; videlicet, three years old seven stone, four years old eight stone, five years old eight stone seven pounds, six years old eight stone twelve pounds, aged nine stone, making the usual allowance to mares and geldings, videlicet, three pounds; and also one other purse of one hundred pistoles, to be run for in like manner once every year on the first Tuesday in December, in the county of Surrey, on the Kingston course, under the rules and regulations hereinbefore directed; and also one other purse of one hundred pistoles, to be run for in like manner once every year, in the county of Cornwall, in the parishes of Westmorland, Saint James, and Trelawny, alternately, the first purse for the said county of Cornwall to be run for in the said parish of Saint James on the second Tuesday in March, the second in the parish of Westmorland on the second Tuesday in March, the third in the parish of Trelawny on the second Tuesday in March, the fourth in the parish of Saint James on the second Tuesday in March, and the fifth in the parish of Westmorland on the second Tuesday in March, in each of the said five succeeding years, on such course in each parish as the justices and vestry in each parish shall direct and appoint, subject to the rules and regulations as aforesaid; and also one other purse of one hundred pistoles, to be run for in like manner once in every year in the parishes of Saint Elizabeth, Clarendon, and Saint Ann, successively, the first purse to be run for in the parish of Saint Elizabeth on the first Tuesday in April, the second in the parish of Clarendon on the second Tuesday in April, the third in the parish of Saint Ann on the second Tuesday in July, the fourth in the parish of Saint Elizabeth on the first Tuesday in April, and the fifth in the parish of Clarendon on the second Tuesday in April, in each of the said five succeeding years, subject to the rules and regulations aforesaid; and if it shall happen that there is no course in either of the parishes at the time the race is to be run, it shall and may be lawful for the judges, as hereinafter mentioned, to appoint the race to be run over the nearest and most convenient course to such parish: *Provided always*, That no horse, mare, or gelding shall be allowed to win more than four public purses under this or any former act; which said several sums of money shall annually be paid by and allowed to the said receiver-general, and the custos or senior magistrate of the

parish where the race is to be run shall or may appoint some person or persons, who shall be judge or judges of the said several races; but, in case such appointment shall not be made, then the person or persons who shall judge and determine the said races shall be chosen by a majority of the persons (or by some person for each in their behalf), in whose names such horses, mares, or geldings are entered. No plate under the value of fifty pounds, under penalty of two hundred pounds, to be recovered in supreme and assize-courts, but no such private purse to be run for except on the race courses above mentioned, or at Hayes's Savanna, in Vere, and near Savanna-la-Mar, under a like penalty.—5 Geo. 4, c. 2, s. 6, 7. This act in force until thirty-first December, 1829.

RATIONS of TROOPS, *see* COMMISSIONERS of ACCOUNTS.

RECEIVER-GENERAL, *see* NAVAL OFFICER.

REPLEVIN, *see* COLLECTING CONSTABLES.

RETAILERS, *see* SPIRITUOUS LIQUORS.

ROAD TAX.

Payment of road tax for the preceding year not to be enforced until August in the following year.—8 Geo. 4, c. 15. Poll tax, and 5 Geo. 4, c. 8, s. 41.

RULES AND ARTICLES OF WAR.

The following are declared to be the rules and articles of war, during the existence of martial law:

1. To attend divine service.
2. Those using unlawful oaths or execrations to forfeit ten shillings, to be levied under the hand of the senior officer.
3. Those holding criminal correspondence with the enemy to suffer death, or such punishment as a court-martial awards.
4. Those encouraging conspiracies or rebellions, or not revealing them when known, the same punishment.
5. Behaving disrespectfully to superiors, to be punished as a court-martial may direct.
6. Those guilty of mutiny or sedition, or concealing them, to suffer death, or such other punishment as a court-martial may direct.
7. Those refusing to obey superior officers to suffer such punishment as a court-martial may award, not extending to life.
8. Those not keeping silence on duty, same punishment.

9. Those who strike or draw weapons upon, or wrongful violence, to others, the same.

10. Those deserting to the enemy, or quitting guard or post, to suffer death, or such punishment as the court may direct.

11. Those misbehaving in action, refusing or not promptly obeying an order to march, &c. or advising others to do so, the same punishment.

12. Those giving false alarms wantonly, the same.

13. Those not assembling on alarms, to suffer punishment not extending to life.

14. Those sleeping on their post, or leaving it before relieved, or not giving warning of an enemy to suffer death, or such other punishment as may be awarded.

15. Those disclosing the watchword improperly, or giving one different, to suffer death, or such punishment as may be awarded.

16. Scouts failing in duty, the same punishment.

17. Those guilty of drunkenness or riotous behaviour on duty to be degraded, or suffer such punishment as a court-martial may award, not extending to life.

18. Those offering violence to persons bringing provisions or necessaries, to be fined, or imprisoned, or both, as a court-martial may award, besides compensating the injured party.

19. Those insulting others by contemptuous language or gestures to suffer such punishment as a court may award not extending to life.

20. Those sending challenges, or insulting letters, to be punished by fine not exceeding one hundred pounds, or imprisonment not exceeding twenty-eight days.

21. Those delivering military stores to the enemy, provisions, or other necessaries, or who sell or give them with evil intent to slaves, or others not in militia, without proper leave, to suffer death or such punishment as a court may award; and those embezzling provisions or military stores, to suffer such punishment as the court may award.

22. Commanding officers of regiments may convene courts-martial, general or regimental, as they see proper; and so may the senior officers in the parish. The commander-in-chief and every general officer, may also convene them when they see occasion. A general court to consist of not less than thirteen nor more than fifteen, of whom none to be under the rank of captain; and, for the trial of a general officer, there shall be at least one general and four field-officers of the number.—Officers applying for courts-martial having occasion for officers of other regiments, must make requisition to the commanding officers of such regiments, specifying the ranks of of

Officers required: A court-martial ordered by the commander-in-chief, or by a general officer, commanding, to be composed of officers ordered by them, or by officers commanding regiments at their requisition. A regimental court-martial in the cavalry to consist of at least three, and in the foot five. Officers failing to attend without excuse, to be fined not exceeding fifty pounds or censured, the fine to be levied under the hand and seal of the president.

23. Members of courts-martial to take rank according to rules of the army, and to be sworn well and truly to try and determine, according to evidence, and the rules and articles of war, without partiality, favour, or affection, and not to disclose the vote or opinion of any member of the court, unless required in a court of justice in due course of law. They must behave with decency, and in voting begin with the youngest officer: sentence to be according to plurality of votes, and pronounced by the president. No court to sit earlier than eight nor later than five o'clock, but to have the power of adjourning.

24. Regimental courts to have jurisdiction in all cases except where a general one is made necessary; but there is a right of appeal to a general court, which, in case of frivolous appeals, may increase the punishment, but limited to the provisions of this act, and to award costs, and compensation to judge advocate, all which to be enforced by imprisonment.

25. Officers commanding in a garrison, when the number of officers is insufficient, may compose the courts of such officers as are in the garrison, who have the same powers as regimental courts.

26. Commissioned officers can only be degraded, nor can any person suffer death, but by sentence of a general court, and no such sentence to be carried into effect until confirmed by the commander-in-chief. All other sentences to be executed, and fines enforced, by imprisonment under the warrant of the president.

27. Judge-advocates to be sworn that they will not disclose votes or opinions, unless required in a court of justice.

28. Evidences required under hand of judge-advocate must attend, under a penalty of not less than fifty pounds, or imprisonment not exceeding twenty-eight days, and falsely swearing punishable as perjury.

29. Those behaving disrespectfully to courts-martial or interrupting proceedings, to suffer such punishment as such court may award, not extending to life.

30. Those offending may be put under arrest, or imprisoned, if non-commissioned or privates, and a court held in eight

days, or as soon as possible. Officers not submitting to arrest to be degraded by sentence of a court; non-commissioned officers and privates not attending, on notice, to be tried as if present, and may be fined.

31. Obstructing a marshal in his duty, or refusing to assist him, to suffer such punishment as a court may award, not extending to life.

32. Those imprisoning offenders must within twenty-four hours, give in the charge, or the party be discharged.

33. Gaolers or guards not receiving and detaining prisoners to suffer such punishment as a court may award, not extending to life.

34. No sentence of death to be pronounced unless twelve members concur.

35. Commissioned officers behaving scandalously or improperly to be degraded, or punished as a court may award, not extending to life.

36. Offences not specified in the act to be taken cognizance of by general or regimental courts, and punished by fine not exceeding one hundred pounds, or imprisonment not exceeding twenty-eight days.

37. Officers oppressing or maltreating inferiors to be fined or imprisoned as a court thinks fit; but if the complaint is found frivolous, the complainant to be subject to same punishment.

38. No corporal punishment to be inflicted but imprisonment or death.

39. Troopers refusing or neglecting to carry dispatches, or guilty of delay, or who destroy, or neglect to deliver them, or open or examine them, or attempt to do so, or suffer any one to do so, or commit any other default, to suffer such punishment as a court may award, not extending to life.

40. Commanding officers of regiments of horse authorised to station them in such places within the district, as may be most convenient for the public service, those disobeying to suffer such punishment as a court may award not extending to life. No order however to contravene the operation of article

41. All stations appointed for horse or foot shall be by the senior officer, and such as to him seems most convenient for the service; and if the senior officer is of the foot he gives orders to the officer of the horse.

41. In cases of alarm the senior officer whether of horse or foot to take the command; but field returns, muster rolls, or dispatches relating to a battalion, or regiment, other than for turning out, not considered as service under the meaning of this article.

42. Those not appearing at courts to substantiate their charges, shall suffer such punishment as the court may award, and the party be discharged.

43. Those prosecuting under frivolous complaints to be fined not exceeding fifty pounds, or imprisoned not exceeding twenty-eight days.

44. Power of commander-in-chief not to be abridged by this act.

45. Judge-advocates, &c. appointed by the court, or its president to prosecute all offences.

No regimental court to fine above fifty pounds, or imprison for more than a month. All commissioned officers must be tried by general courts. Fines to be applied to the use of regiments, and if a surplus to be paid over to the receiver-general, and commanding officers to render to him accounts of appropriations. Officers on a march, &c. who wantonly injure cultivated fields, or property of any kind to be fined not exceeding one hundred pounds, or imprisoned not exceeding one month, by sentence of a court; unless in the execution of any order of commander-in-chief, or general, or commanding officer. No person to be tried under this act but when martial law is in force, or during actual invasion, insurrection, or rebellion, or when ordered out under the party act, 48 Geo. 3, c. 4. This act in force until thirty-first December, 1828.—
3 Geo. 4, c. 6.

RUM, *see* SPIRITUOUS LIQUORS.

SPECIAL PRECEPTS, *see* PROCESS.

SPIRITUOUS LIQUORS, WINES, &c.

An additional duty of six pounds twelve shillings per ton laid on all Spanish and Madeira wines, and of six pounds eight shillings on all wines, the growth of the Western islands, or mixture of Madeira with those of the Western Islands, and the same on French wines, and on Rhenish, Portugal, and all other wines not enumerated; and an additional duty of eleven shillings and ten pence per gallon, on brandy, arrack, gin, compounds, and other spirits, and spirituous liquors, imported; but spirits, the manufacture of Great-Britain or Ireland to pay one shilling less: and an additional duty of two pounds four shillings on every ton of beer, ale, cyder, porter and perry: all wines for the use of army and navy exempted from duty, on a certificate from the governor, or officer commanding the fleet. When the duties laid by the act for laying a duty on brandy, &c. from foreign ports in Africa and Europe, shall be less than the duties hereby imposed, they must be considered as part of the duties under this act; and when more, they must be considered in full. A duty laid on tea of three shillings and four pence per pound. Vessels to be allowed for sea stores at the rate of three gallons of malt liquor, cyder, or perry, or three gallons on the whole of such, for every ten tons burthen, and one lb. of tea for every twenty tons. Three gallons to be allowed for twelve bottles, and two hundred and fifty-two gallons to a ton. All retailers of any quantity of spirituous liquors less than forty gallons, the manufacture of this island, to pay a duty of one shilling per gallon; and all persons selling less quantities, whether mixed or unmixed, or delivering it under pretence of paying for eating, to be deemed retailers, who must give in a quarterly account on oath to vestries of the several quantities bought and sold, under penalty of from fifty to one hundred pounds, and the quantity remaining on hand, under a penalty of fifty pounds, or one month's imprisonment, and forfeiture of license. Those neglecting to give in may be assessed in double the quantity last given-in, and only relievable the next quarterly vestry, on oath. It is made the duty of clerks of vestry to inform against offenders, and to receive a fee of ten shillings for providing forms, &c. No license to be granted in Kingston, St. Jago de la Vega, Port-Royal, Montego-Bay, Falmouth, Savanna-la-Mar, Lucea, or St. Ann's Bay, without entering into security to pay duties to the extent of seven pounds ten shillings per quarter, to be considered as part of the whole, if they are subject to pay more. Those retailing spirits by themselves or others without a license from the jus-

tices and vestry, which license can only be granted upon certificate of six freeholders of the parish that the party is sober, discreet, and duly qualified for a retailer, to be recorded by the clerk of the peace, and the license must have the consent of the majority of justices and vestry; and the house intended to be used must be specified, and if kept elsewhere the license void. Aliens cannot have a license unless naturalised and resident seven years, and of good character. A certificate of residence signed by three freeholders to be produced, and recorded in peace office. Licenses not to be granted to any in arrear for duties, under a penalty of five pounds on each justice and vestryman. Justices in session to fix the number of licenses to be granted, and such session must be held within twenty-eight days after the first of January; and if the vestries grant more than so fixed, they forfeit ten pounds each for every extra license, to be recovered before any two justices, one moiety to informer the other to the parish. Those retailing without a license forfeit a sum not exceeding one hundred pounds, or imprisonment not exceeding two months, for every offence, recoverable in like manner. The evidence of one competent person sufficient: the justices may commit until fine paid, or imprisonment expired. Any justice, on information of such offence, is empowered to summon all persons to appear before him, and those refusing or neglecting to attend to forfeit twenty pounds, to be levied for under the warrant of such justice, or any other, for the use of the parish. All retailers to put up a board in front of the house with their name, and the words, *Licensed to sell brandy, gin, rum, and other distilled spirits*, in white letters not less than two inches in size, on a black ground, under penalty of five pounds for each neglect; and no person to retail in two places under one license, under penalty of fifty pounds, or two months imprisonment.—No spirits to be retailed at Bath without a license. No givings-in to be received for sugar estates, unless the party swear that no rum less than forty gallons has been bartered or sold on the property. Custodes or senior magistrates must summon within forty days next after the first of January, giving ten days public notice, and hold a vestry for granting licenses, under penalty of one hundred pounds, and licenses must be taken out by such day as the vestry may appoint, on pain of forfeiture. Retailers must give security to churchwardens, with two sureties, freeholders, in the sum of one hundred pounds, for good behaviour, and another bond to the king with one freeholder as surety in a like penalty; and they must pay such sum to the churchwardens as the justices and vestry may impose, not exceeding forty pounds, nor less than five pounds.

for the use of the poor, or in aid of parochial taxes : clerk of peace not to record the license, unless a certificate of churchwardens is produced that such sum is paid, on which he must furnish the license, under penalty of twenty pounds. Persons keeping taverns for accommodation of travellers, three or more miles from any town, and in the town of Lacovia, not to pay more than forty shillings for the license, of which twenty-six shillings and eight pence to the churchwarden, and thirteen shillings and four pence to clerk of peace. Licenses to be granted for one year only, and in open vestry, under penalty of fifty pounds on justices granting otherwise ; nor can any license be in force after the first of April, 1829 : No license to be recorded until security given, under penalty of twenty pounds on clerk of peace, to be recovered before two justices and under a penalty of fifty pounds he must keep a separate book for recording certificates, bonds, or licenses, and cause a list of licensed persons to be fixed up in his office, and a copy inserted in the county newspaper for one month ; and in ten days after licenses granted he must certify the same to the receiver-general, under penalty of twenty pounds, and he is to receive the sum of two pounds ten shillings for his trouble, including every charge, under a like penalty. Collecting constables to be collectors of duties under this act, and receive a commission of five per cent. and to enter into security. He is made inspector, and empowered to enter houses of retailers to know if they are licensed, and the person applied to must produce the license under penalty of one hundred pounds, or one month's imprisonment. The inspector, on such refusal, under penalty of fifty pounds, must give information upon oath to the receiver-general, who under penalty of one hundred pounds must prosecute. Maroons cannot retail without taking out licenses, under like penalties. Every collecting constable to make oath on the back of his security bond that he will faithfully execute his trust, and that he will inform against all offenders. Contractors for furnishing the army and navy must give in quarterly returns to receiver-general of all spirits issued by them, and pay one shilling per gallon thereon, under penalty of two thousand pounds, excepting such spirits on which the duty has been paid. Clerks of vestries to make out two copies of rolls, within twenty days after giving-in, one to be signed by a justice to be transmitted to receiver-general, who must grant a receipt ; and a warrant to be annexed to the other, under the hand and seal of one or more justices, and to be delivered in twenty days to the collector, who is to collect and pay the same to the receiver in sixty days after the roll has been delivered to him, deducting commission as before ; and full powers

are given him to distrain. Slaves selling rum, unless in presence or by order of their owner, &c. to be whipped by direction of a justice, not exceeding thirty-nine lashes. Those who swear falsely to be punished as for perjury. Justices and vestry neglecting their duty forfeit fifty pounds each. Penalties under one hundred pounds to be recovered before two justices, all above by action of debt. Secretary of island, provost-marshal, clerk of the court, and register in chancery, to pay sixty pounds each as rent of offices. Masters in chancery cannot be sworn in without filing in office a certificate from receiver-general of his having paid him five hundred pounds.—Receiver-general to enter into security of twenty thousand pounds for executing his trusts under this act. All bonds to be recorded in secretary's office. This act not to interfere with the provisions of an act of parliament for regulating trade to America and the West-Indies, and to be in force until thirty-first December, 1828.—8 *Geo. 4, c. 17.*

STAMPS.

The following is a table of stamps imposed by the stamp act :

	£.	s.	d.
Admiralty dedimus, monition, sentence, subpoens, and warrant of decree	-	0	10 0
Almanac, on every sheet one	-	0	0 10
—, on every book one	-	0	1 8
Appeals from courts of admiralty, chancery, errors, or supreme court, on every public attestation of	-	5	0 0
Appointment by governor to any place of the value of 100 <i>l.</i> per annum, or upwards	-	10	0 0
Assignment of a judgment	-	0	2 6
Attachments out of chancery or vice-admiralty	-	0	10 0
Attestations or exemplifications	-	1	0 0
Attorney, solicitor, proctor, or notary, certificates of admission of	-	10	0 0
Award, on every sheet	-	0	10 0
Bills of exchange, for above 50 <i>l.</i> and not exceeding 200 <i>l.</i> sterling, on each bill of three to a set	-	0	1 8
— from 200 <i>l.</i> to 500 <i>l.</i>	-	0	2 6
— from 500 <i>l.</i> to 1000 <i>l.</i>	-	0	5 0
— above 1000 <i>l.</i> for each additional 500 <i>l.</i>	-	0	5 0
Bills, inland, drafts, or orders, except on receiver general, exceeding 50 <i>l.</i>	-	0	1 8
Bill of lading or receipt for goods exported, each	-	0	0 10
Bonds, notes, IOU's, or other obligations to pay money	-	-	-
— above 50 <i>l.</i> and under 200 <i>l.</i>	-	0	5 0
— above 200 <i>l.</i> and under 500 <i>l.</i>	-	0	10 0
— above 500 <i>l.</i> and under 1000 <i>l.</i>	-	0	15 0

	£.	s.	d.
Bonds and for each additional 500 <i>l.</i> -	0	5	0
to the king, other than plain money bonds, except replevin bonds, contractors, or collecting constables bonds -	1	0	0
Cautionary bond -	1	0	0
Certificates from officers of courts, public offices, or clerks of peace with the exceptions in the law, or which relate to taxes or paupers -	0	1	8
Charter party -	1	0	0
Commission of chief-justice or assistant judge of supreme court -	25	0	0
of chief and assistant judges of courts of common pleas -	5	0	0
of writ of association for assistant judge of the court of common pleas -	2	10	0
of custes, and magistrates -	15	0	0
or writ of association for magistrates, and each nomination therein -	2	10	0
master in ordinary or extraordinary of court of chancery -	5	0	0
of land surveyor -	10	0	0
of general officers of militia -	50	0	0
of field officers ditto -	5	0	0
conferring rank of field officer -	50	0	0
of captain in militia -	2	10	0
conferring rank of captain -	100	0	0
of a subaltern, in militia -	1	5	0
conferring rank of subaltern -	100	0	0
of quartermaster, in militia -	1	5	0
of adjutant ditto -	1	5	0
of surgeon ditto -	2	10	0
of surgeon's mate -	1	10	0
of lieutenant of a fort -	20	0	0
conferring brevet rank above a captain -	100	0	0
or warrant of a quarter gunner of a fort -	20	0	0
of a physician, surgeon, or apothecary-general and their deputies -	100	0	0
of adjutant-general -	20	0	0
of quarter-master, muster-master, or barrack-master-general, and deputies, and deputy adjutant-general -	100	0	0
of aid-de-camp to commander-in chief, first six, each -	50	0	0
above six, each -	100	0	0
of aid-de-camp, and major of brigade to a general officer -	20	0	0
of a judge-advocate 50 <i>l.</i> his deputy -	100	0	0
of deputy-judge advocate -	5	0	0
on every one not specified. -	100	0	0
those not stamped void. -			
Commissions from courts -	0	10	0
Copartnership, articles of -	1	0	0
Declaration, on every original one, on each sheet -	0	2	6
Deed, on every sheet of paper, vellum, &c. on which deeds, &c. are drawn -	0	5	0
When valuation amounts to or exceeds 1000 <i>l.</i> -	5	0	0

	£.	s.	d.
Demurrer	-	0	2 6
Duplicates in offices of record	-	0	10 0
Escheat, letters of preference for	-	1	0 0
Fire-arms, license to retail	-	1	0 0
Flag of true, commission of	-	10	0 0
Health-officers' warrant in Kingston, 20 <i>l.</i> every other place	-	5	0 0
Insurance, policy of, not exceeding 1000 <i>l.</i> and five shillings for every 500 <i>l.</i> above	-	1	0 0
Interpreter of foreign languages warrant	-	2	10 0
Kettabah, or Jewish contract of marriage	-	0	10 0
Leave of absence signed by governor	-	5	0 0
Legacies, (except to wife, children, or grand children), receipts for from 50 <i>l.</i> to 100 <i>l.</i>	-	2	0 0
— from 100 <i>l.</i> to 200 <i>l.</i>	-	3	0 0
— from 200 <i>l.</i> to 300 <i>l.</i>	-	4	0 0
— from 300 <i>l.</i> to 400 <i>l.</i>	-	6	0 0
— all above 400 <i>l.</i> for every additional 100 <i>l.</i>	-	2	0 0
The person receiving the legacy to pay the duties. The duty for receipts for legacies by will, &c. or for any share of personal estate, divided by statute of distribution, to be added,			
per sheet	-	0	5 0
Letter of marque	-	10	0 0
Letters testamentary, of administration, guardianship, <i>dedimus potestatem</i> , institution, warrant of appraisement, or any instrument passing the governor's seal as ordinary, and duplicates	-	0	10 0
Letter of attorney	-	0	5 0
License to sell a foreign cargo	-	5	0 0
— to sell wine, gunpowder, &c.	-	0	2 0
Marriage license	-	0	10 0
Naturalization, certificates of	-	20	0 0
Notices, citations, petition, protection, rule, order, or affidavit of any court, (except pursuant to an act, or relating to a debt under forty shillings)	-	0	2 6
Order for land, or any beneficial order of governor for any sum exceeding 20 <i>l.</i>	-	1	0 0
Paper, the duty on every sheet of imperial or royal or akin of vellum or parchment	-	0	5 0
— on medium or demi ditto	-	0	2 6
— on post, foolscap, and smaller papers	-	0	1 8
Patents of escheat for real estate worth 200 <i>l.</i> and an additional stamp of 50 <i>s.</i> for every 100 <i>l.</i> more	-	5	0 0
— not mentioned (except patents of pardon)	-	1	0 0
Pilots' warrant for one port 5 <i>l.</i> for more than one	-	10	0 0
Plat returned into court or taken out of office	-	0	1 8

	£.	s.	d.
Powers of attorney to recover debts or sale of property	-	1	0 0
----- for managing estates	-	5	0 0
Presentation to a church living (curates exempted)	-	10	0 0
Private bill, on every order to a minister to publish in church	-	5	0 0
Promissory notes, see bond.	-		
Protest of a notary	-	5	0 0
Receipts for sums above 20 <i>l.</i>	-	0	0 10
----- from secretary of island for deeds, &c.	-	0	2 6
----- for recording crop accounts	-	5	0 0
Recognizance	-	5	0 0
Satisfactions on judgments	-	0	0 10
Sentence of court of vice-admiralty, or any attachment issuing out of it	-	0	10 0
Special bail to peace	-	0	5 0
Special plea, notice of set off, or demurrer, replication, or rejoinder, on every sheet	-	0	2 6
Subpoena, attachment or dedimus out of courts of chancery or admiralty	-	0	10 0
----- issuing out of supreme court	-	0	0 10
Tickets of departure	-	0	5 0
Tolls, copies of, by clerks of peace	-	0	5 0
Warrant, commission, or decree of vice-admiralty	-	0	10 0
Writ of error	-	1	0 0
----- of certiorari, partition, dower, or possession	-	0	10 0
----- of replevin, returno, habendo, withernam, extent, capias, acire facias, destringas, or replevin bond	-	0	5 6
----- on every other not specified, issued out of courts except writs of summons or arrest filed with any declaration, and all proces in common pleas	-	0	2 6
----- of execution, process, or contempt, or writ of ne exeat, out of chancery	-	0	10 0
----- on every one out of chancery not specified	-	0	10 0

One certificate of admission of an attorney in any court to exempt him from duty on admission to any other court. Commissions and warrants in militia, if not stamped, declared void; all process in common pleas exempted from stamps; no stamps required on the pleading the general issue, or rule of executors, or any act of council, assembly, proclamation, acts of state, votes, or matters printed by order of any branch of the legislature, or of any vestry, or any inquisition or other proceeding taken before a coroner or magistrate, or for enforcing militia duties, writs of *habeas corpus*, *capias pro fine*, probates or acknowledgments of deeds, manumission, or manumission bonds; the stamps on bills of exchange to be on each bill, and unless offered in sets they cannot be stamped, except

when a bill is accepted or protested, when stamps equal to those on three sets must be impressed and an additional stamp of five pounds. No stamp to be impressed on any receipt for any legacy, or distributed by statute of distributions, if to the wife, children, or grandchildren of the person making the will. Letters of attorney for places of residence, or where no more than ten slaves are employed, or consisting of woodland not opened, or of houses in town, only require a stamp of twenty shillings. The secretary must give a separate receipt for each deed, or paper recorded, and must not record without such receipt, under penalty of fifty pounds. This act does not extend to receipts on foreign or inland bills of exchange, or for promissory or other notes, or endorsed on any deed, bond, &c. stamped by this act, or any receipt given or granted to receiver-general, or deputies, or collecting constables; all receipts expressing to be in full must have a tenpence stamp; and no final discharge of a debt can be given by a balance struck, unless the account is stamped, with ten pence. Expence of stamps to be paid by the party requiring the paper. Bills of exchange, notes, orders, &c. stamped for a less sum than required cannot be pleaded in any court. Masters of vessels to give security in the secretary's office, under penalty of fifty pounds, that they will not sign bills of lading, unless properly stamped, which the secretary must take, under penalty of ten pounds.— On certificates of naturalization there must be a stamp of twenty pounds, and unless the certificate is taken out in one month, the naturalization is declared void. Clerks of peace and vestry on entering tolls must give receipts on paper impressed with a five shilling stamp, under penalty of ten pounds to be recovered before two justices. All deeds, (except crop accounts, drafts, briefs, and cases for counsel, surveyor's slips, printed forms, &c.) instruments, accounts of guardians, trustees, mortgagees in possession, inventories, surveys, plats, schemes, plans, returns of writs of view, and other surveyor's returns, all authenticated office copies, and all writings, process, and proceedings in law or equity, not made subject to stamp duty, to be transcribed on stamped pieces or sheets of paper, vellum, or parchment, containing the number of lines following: Imperial, forty lines; demy or medium, thirty lines; post or foolscap, twenty-four lines; king's arm, crown, or pot, twenty lines. All accounts may be written on both sides the paper, each side the same number of lines. When more lines are contained on the paper than by law allowed, if by mistake, the paper declared good, but the first stamp forfeited, and the proper stamp to be impressed; if through inadvertence or necessity, represented on oath to commissioners.

of stamps, any article be written on unstamped paper, the proper stamp may be impressed on paying an additional five pounds, also to be impressed on the paper. Deeds, conveyances, &c. when consideration money amounts to or exceeds one thousand pounds, or is nominal, or assigning a rent charge or annuity for life or years, amounting to one thousand pounds, to have an additional stamp of five pounds, except, in nominal cases, oath is made that the consideration money is under one thousand pounds. If less sums, than actually paid or agreed for, are inserted, to evade the duty, the deed declared void. No wills, or codicils, bills of fees, or letters of administration of any sailor or soldier to be charged with any stamp duties. In cases of conveyance and re-conveyance to bar entail the conveyance only made subject to additional stamp; and if by lease and re-lease the re-lease only subject to the duty. No stamps to be impressed on paper after written or printed upon, except printed forms not filled up, deeds executed out of the island, or during the non-existence of the stamp act; and except the additional stamps imposed by this act, also any memorandum, or deeds of agreement preparatory to a formal deed, if duly stamped within ninety days after date, and those executed elsewhere, six months. Those fraudulently evading the duties to forfeit twenty pounds.—Where several duteable matters are on one paper the stamp must be impressed on every one. One or more stamps of equal value to the stamp required, or if there be stamps of a greater value the same is valid. No custom-house bond to be stamped. The governor to appoint two commissioners, who must record such appointment in secretary's office, and if they act before, they forfeit five hundred pounds each, or without making oath that they will faithfully perform the duties of the office, and account to commissioners of accounts in a form prescribed. In case of death, dismissal, or disability, the governor to appoint others in their places. Their salary to be five hundred pounds per annum, each. Commissioners to fix the prices at which all sorts of papers, vellum, &c. bearing stamps, shall be sold by distributors of stamps over and above stamp duties, but no price on slips with stamps not exceeding one shilling and eight pence, printed forms excepted. Those demanding more forfeit ten pounds. The prices to be advertised in county papers. Receiver-general, under penalty of fifty pounds, to grant receipts for money paid for stamps, specifying the name of the person, the number and value of the stamps, the gross amount, and discount allowed, and the commissioners must stamp accordingly, under penalty of fifty pounds. Commissioners must keep a regular account of stamps impressed agreeably to the receipts delivered to them with

date, names of persons, discount, &c. as a check on receiver-general. Secretary not to record deeds, &c. without the proper stamps, under penalty of five hundred pounds for every offence, unless the probates appear to have been executed before the stamp duties existed. If clerks, officers, &c. in public offices, commit any fraud, lessening the stamp duties, besides the penalties of this act, they forfeit their places, and attornies, &c. disabled from practising. All deeds executed out of the island to be duly stamped, as well as all exemplifications of wills, and every other, and all proceedings necessary to be recorded.—Forgery of stamps declared felony. Paupers exempted from duties. All public officers authorised to charge the stamps necessary on papers taken out of their offices, as well as attornies, &c. of courts. Those purchasing stamps to the amount of twenty pounds, to be allowed ten per cent. discount, excepting stamps on written deeds. The receiver-general not to sell less than twenty pounds worth of stamps. Stamps which have been inadvertently spoiled may be returned, and if the receiver-general or distributors, on oath, or otherwise, be satisfied that they were so, he or they must, under penalty of fifty pounds, return a like quantity. Receiver-general or his deputy empowered to appoint distributors, who must enter into bond, with security to account to receiver-general once in every three months for monies received and stamps unsold: those in Kingston, Port-Royal, St. Andrew, and St. David, to be allowed a commission of five per cent.; in the precinct of St. Catherine, seven and a half per cent.; in Clarendon, Vere, and Manchester, ten per cent.; in St. Ann, St. Mary, St. George, St. Thomas in the East, Portland, twelve and a half per cent., and in St. Elizabeth, Hanover, Westmorland, St. James, and Trelawny, fifteen per cent. Distributors misbehaving or not accounting for two quarters may be displaced, and the receiver-general to take all lawful remedies against them within a month after second quarter day, or become liable himself. Receiver-general to enter into bond with security in twenty thousand pounds, to account for all monies received under this act. One stamp office to be kept in St. Jago de la Vega, and another in Kingston, the first to be open on Wednesdays, Thursdays, and Fridays; the second on Saturdays, Mondays, and Tuesdays; from ten to three, holidays excepted: in each of which there must be a chest to keep the dies; if more papers are brought than can be stamped in one day, the commissioner to proceed from day to day until all brought into his office in the stamping days are completed. Receiver-general authorised to keep a deputy in St. Jago de la Vega, at a salary not exceeding one hundred and

fifty pounds per annum. Commissioners may employ inferior officers, who must be sworn to the due discharge of their duty, as also free persons or slaves, and are allowed for such expences, rent of office, repairs, &c. three hundred pounds per annum in Kingston, and two hundred and fifty pounds in St. Jago de la Vega. All penalties of fifty pounds and upwards to be recovered in supreme court, all under before two justices. This act in force until thirty-first December, 1831.—7 Geo. 4, c. 8.

In addition to the stamps enumerated in the preceding act, by 3 Geo. 4, c. 13, a salary of three thousand pounds being granted to the governor's secretary, in lieu of his fees, the amount of his fees were directed to be impressed as stamps on the various papers issued from the governor's office, agreeably to the following table :

	£.	s.	d.
For the commission of a general to serve in the militia	50	0	0
Colonel	25	0	0
Lieutenant-colonel	20	0	0
Major	15	0	0
Captain	10	0	0
Lieutenant	5	10	0
Ensign or cornet	3	6	0
Adjutant or quartermaster	2	5	0
Surgeon	10	0	0
Deputy judge-advocate	10	0	0
Adjutant-general	50	0	0
Quartermaster-general	100	0	0
Deputy adjutant general and deputy quartermaster-general, each	150	0	0
Barrackmaster-general	150	0	0
Deputy	150	0	0
Island barrackmaster-general	20	0	0
Mustermaster-general	150	0	0
Deputy	150	0	0
Aid-de-camp to the commander in chief	140	0	0
Island engineer	20	0	0
Physician-general, surgeon-general, and apothecary-general, each	100	0	0
Each deputy of the three last-mentioned officers	100	0	0
Physician to a county gaol	20	0	0
Health officer	10	0	0
Naval officer	50	0	0
Appointment of island storekeeper	30	0	0
Commission of commissary of militia	100	0	0
Armourer	5	0	0
Superintendent of ordnance stores	100	0	0
Superintendent of pioneers and working parties, or of signals and beacons, and miner-general, or deputy or assistant to any of the three last-mentioned officers	200	0	0
Leave of absence to a member of the council	20	0	0
Commission of chief justice	100	0	0

	£.	s.	d.
Leave of absence to ditto	50	0	0
Commission of assistant judge of the grand court, when by writ of association	10	0	0
Assistant judge for Cornwall and Surrey assize-courts, when by writ of association	10	0	0
Chief justice of common pleas	20	0	0
Assistant judge of common pleas, when by writ of association	5	0	0
Custos rotulorum	50	0	0
Leave of absence to ditto	20	0	0
Commission of justice of the peace, when by writ of association	5	0	0
Attorney-general	50	0	0
Judge of the court of vice-admiralty	20	0	0
Receiver-general, provost-marshal, clerk of the supreme court, register in chancery, secretary of the island, agent-general, and commissary-general of his majesty's regular forces, each	50	0	0
Clerk of the crown	15	0	0
Public messenger, crown surveyor, assistant commissary-general of the regular forces, and commissioner of stamps, each	20	0	0
Master in ordinary in chancery	50	0	0
Master extraordinary in chancery	15	0	0
Marshal and sergeant of mace of vice admiralty court	20	0	0
Surveyor of public works	50	0	0
Presentation to a benefice	25	0	0
Appointment of curate to a parish	5	0	0
Commission of surveyor	150	0	0
Superintendent of maroons	10	0	0
Collector of customs	20	0	0
Comptroller	10	0	0
Land and tide surveyor	10	0	0
Surveyor and admeasurer	10	0	0
Waiter and searcher	5	0	0
Water-bailiff	5	0	0
Harbour-master	15	0	0
Interpreter of foreign languages	5	0	0
Warrant for a pilot	10	0	0
Privateer's commission	30	0	0
Flag of truce	20	0	0
Order, in consequence of a petition to land or sell the cargo of a foreign vessel	6	0	0
Patent of naturalization	10	0	0
Letters of preference to escheat property of a felon	20	0	0
Order for surplusage land	10	0	0
Fiat for land on the quit-rent act	5	10	0
Special order for land	5	0	0
Common order	0	5	0
Fiat for land	20	0	0
Order for foot land in Titchfield, Portland	5	0	0
Letters of preference for an escheat	1	0	0
Fiat on letters of preference for an escheat	1	0	0
Fiat for a writ to elect a coroner	15	0	0

	£.	s.	d.
Order to a minister to publish in church the intention of a person to apply for a private bill.	10	0	0
Leave of absence to the naval officer, attorney-general, advocate-general, judge of the court of vice-admiralty, the person acting as receiver-general, register in chancery, and island secretary, each	20	0	0
Leave of absence to the quartermaster general	25	0	0
Ditto to the agent general and collector of the customs	10	0	0
Ditto to the deputy adjutant-general, deputy quartermaster-general, barrackmaster-general, deputy barrackmaster-general, muster-master-general, judge-advocate-general, deputy judge-advocate-general, physician-general, apothecary-general, deputy physician-general, deputy surgeon-general, and deputy apothecary-general, each	15	0	0
Ditto to the comptroller of the customs	5	0	0
Ditto to each public officer not herein before specified	10	0	0

Commissions of those arriving in this island and claiming their rank, must be stamped. Certificates by the governor of persons having been qualified for appointments in this island by his majesty, or the commissioners of customs, besides the stamps at present imposed, an additional one must be impressed equal to the fees if appointed by the governor. All the powers of the stamp act given under this. Commissioners granted without the stamps in this act declared void, and the governor's secretary to forfeit five hundred pounds. Forgery of stamps declared felony.—*3 Geo. 4, c. 13.*

TEA.

A duty of three shillings and four pence per lb. to be paid on all teas imported, to be levied in same manner as other taxes.—8 Geo. 4, c. 15, s. 2.

TREASON AND CONSPIRACY.

The several clauses of the act passed eleventh December, 1823, relating to seditious meetings declared in force until thirty-first December, 1828.—8 Geo. 4, c. 18. See same title in the preceding part.

TONNAGE AND GUNPOWDER DUTY.

To keep in repair the fortifications, a duty laid of six pence per ton on all vessels, or droggers employed in the coasting trade, and all vessels, British built, not exceeding two hundred tons, belonging to British subjects resident in this island or British America, trading to and from thence, and this island, and the United States, to be paid once a-year; and by all other vessels every voyage, except foreign vessels under the free-port act. Masters on entering to make entry of their tonnage, and pay the duty to receiver-general. On arrival they must within forty-eight hours deliver a true account of their tonnage, as well as goods, under penalty of one hundred pounds, to be recovered by action at law for the benefit of the fortifications. In future a duty of one shilling per ton to be received instead of the gunpowder directed by the revenue act; and the receiver-general to import or purchase gunpowder when required by the governor and council. Useless gunpowder, or such as has been four years in the island, to be delivered by storekeepers or captains of forts, in quantities not exceeding one barrel at a time, to any person producing the following certificate, signed by a member of the parish:

I do certify that A. B. is a fit and proper person to be entrusted with gunpowder from the public magazine under your charge, and you are hereby authorised and required to deliver to him pounds of gunpowder, which shall have become useless or unfit for service, or shall have been full four years in the island.

But before such certificate is granted the following affidavit to be made:

I, A. B. do swear that I am engaged in the formation or improvement of a road, and that ^{pounds of} powder are necessary for the effectual completion of the same, and that I will not apply the said gunpowder to any other than the purpose above mentioned.

This act in force until thirty-first December, 1828.—8 Geo. 4, c. 4.

TONNAGE DUTY, UNITED-STATES.

A duty imposed on vessels belonging to the United States, equal to the difference imposed on British shipping by the United States, of six shillings and three pence per ton. Masters on arriving to make entry of their tonnage, and exhibit their register or sea-letter to the receiver-general, to be with him deposited until duties paid; under penalty of one hundred pounds for fraudulent entries or false registers, &c. to be recovered before two justices, who may imprison six months, if fine not paid. Tonnage to be ascertained in same manner as in British vessels. Receiver-general to enter into security to perform his duty under this act, in ten thousand pounds, which is in force until thirty-first December, 1828.—8 Geo. 4, c. 3.

TROOPS, ADDITIONAL SUBSISTENCE.

The following additional subsistence granted to the officers of his majesty's troops, not exceeding three thousand men, and actually resident, and in quarters with men, or on duty, but no officer to receive more than one subsistence; and no more acting lieutenants or ensigns appointed than to make up the number dead or absent. To field officers, captains, subalterns, chaplains, adjutants, quartermasters, and surgeons, one pound twelve shillings and six pence per week, to be paid quarterly by the receiver-general to the commanding officers, on the production of regular pay bills. Officers' wives to have sixteen shillings and three pence per week, and lawful children under the age of seventeen years, eight shillings and four pence per week, upon oath of marriage before a justice. If officers die, the widows to have one pound fifteen shillings, and children each eight shillings and four pence for six months after, if they remain widows. No officer to enlist indented servants, under penalty of one hundred pounds, unless the officer is imposed upon by a false discharge. This act in force until thirty-first December, 1828.—8 Geo. 4, c. 2.

See COMMISSIONERS of PUBLIC ACCOUNTS.

WINES, *see* SPIRITUOUS LIQUORS.

ERRATA.

- Page 21 Line 11, for " court" read courts of record."
— 26 — 18, after ' *corerte*' add, who must convey by deed.
— 57. — 9, after the word ' *Simmons*' insert ' *Judges*.'
— 78 — for c. 14 read c. 13.

ERRATA.

Page 2, line 24, after St. Catherine, read "Such actions to be tried in the courts of the precinct where the causes arise, if both parties reside there."

— 4, — 22, before the word "speaker" insert "president."

— 18, — 30, for s. 19, read s. 18, 14 Geo. 3, c. 28.

— 9, after 2, add and 29 Geo. 3, c. 13, s. 4.

— 36, — 14, from bottom, after supreme court, insert "previous to the passing of this act."

— 44, — 5, from bottom, insert after letter, c. 22,

— 74, — 16, after c. insert 14.

Page 41, instead of "with whose names the indictments are filled up," read "The indictments are filled up with the names of the Grand Jury, and sent to them, with the witnesses," &c.







